



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खण्ड 25]

शिमला, शनिवार, 23 जुलाई, 1977/1 श्रावण, 1899

[संख्या 30

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23 जुलाई, 1977/1 श्रावण, 1899 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्ति 'असाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुई:—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. 43-3/74-Agr. (Sectt.), dated 14th July, 1977.	Agriculture Department	Setting out standards of fertilizer mixtures and prohibiting the sale of any mixture of fertilizer unless such mixture complies with the standards set out in Schedule 'A' of the notification.

भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा

अधिसूचनाएं इत्यादि

हिमाचल प्रदेश सरकार

CO-OPERATION DEPARTMENT

NOTIFICATIONS

Simla-2, the 1st July, 1977

No. 7-8/70-Co-op. (S)-Vol. III.—The Governor, Himachal Pradesh, on the recommendations of the Reserve Bank of India, Bombay, is pleased to constitute for each district a Technical Group, for recommending the formulation of schemes to the Himachal Pradesh Central Co-operative Land Mortgage Bank Ltd., Simla, with the following official members:—

- | | |
|---|-----------|
| 1. The Deputy Commissioner of the concerned District | Chairman |
| 2. The Deputy Director of Agriculture (Except Kinnaur and Lahaul & Spiti districts where the District Agriculture Officer will represent) of the concerned District | Member |
| 3. District Animal Husbandry Officer of the concerned District | -do- |
| 4. District Co-operative and Supplies Officer of the concerned District | -do- |
| 5. District Horticulture Officer of the concerned District | -do- |
| 6. District Development and Planting Officer of the concerned District | -do- |
| 7. District Statistical Officer of the concerned District | -do- |
| 8. Representative of the H. P. P.W.D. (Irrigation Wing) of the concerned District | -do- |
| 9. Representative of the H. P. State Electricity Board of the concerned District | -do- |
| 10. Officer/Official of the Central Co-operative Land Mortgage Bank/Primary Land Mortgage Bank of the concerned District | Convener. |

The Technical Group will undertake on a continuing basis a study of the basic data relating to villages available with the Land Mortgage Bank and another sources, especially the local technical departments of the Government and identify the purpose(s) for which local schemes could be formulated. The Group will also undertake field survey and contact cultivators to ascertain their needs and check up the suitability of each local scheme specially in small farmers areas. The Technical Group can (a) constitute sub-groups for the study formulation of different projects; (b) to associate or nominate any other District level officer as per the local requirements; and (c) to hold discussions with the non-officials

in the formulation of the schemes in their respective areas. The convener of the Group will continue informing the Chairman about the progress of the functioning of the Technical Group and the formulation of the schemes.

The tenure of the Technical Group will be for two years in the first instance. It will meet at least once in three months positively and submit its report of progress to the Government after the meeting is held. The expenditure if any, on T. A. and D. A. will be borne by the respective departments.

Simla-171002, the 7th July, 1977

No. 5-6/72-Co-op.(S).—In supersession of this Department Notification of even number, dated the 14th June, 1977, the Governor, Himachal Pradesh, in exercise of the powers under section 8(1) of the Himachal Pradesh Co-operative Societies Act, 1968 (Act No. 3 of 1969), is pleased to appoint Shri O. P. Yadav, as Registrar, Co-operative Societies, Himachal Pradesh, to carry out the provisions of the said Act throughout the State of Himachal Pradesh, with effect from the 29th June, 1977 (after-noon) the date on which he took over the charge of the office of the Registrar, Co-operative Societies, Himachal Pradesh.

By order,
S. K. CHAUHAN,
Secretary.

VITT (VINIYAM) VIBHAG

NOTIFICATION

Simla-171002, the 7th July, 1977

No. Fin.(C)-A(2)4/75.—The Governor, Himachal Pradesh is pleased to order that the General Assistant to the Deputy Commissioner, Mandi district will function as Disbursing Officer under head "254—Treasuries and Accounts Administration (b) Treasury Establishment", till the Treasury Officer, Mandi district remains on leave.

2. The Governor, Himachal Pradesh is further pleased to order that the General Assistant to the Deputy Commissioner, Mandi shall also function as Controlling Officer under the aforesaid head of account for purpose of travelling allowance etc. in respect of the staff of the H. P. Treasuries and Accounts Organisation posted in Mandi district, till the aforesaid arrangement continue.

R. C. KAUSHESH,
Up-Sachiv.

FOREST FARMING AND ENVIRONMENTAL CONSERVATION DEPARTMENT

NOTIFICATIONS

Simla-171002, the 21st January, 1977

No. Fts.(A)7-8/76. —Whereas the nature and extent of the rights of the Government and private persons in or over the forest land and waste land comprised in the schedule hereto appended have been enquired into and recorded under sub-section (3) of section 29 of the Indian Forest Act, 1927.

And whereas the forest land and waste land shown in the schedule appended hereto are the properties of the Government or the Government has proprietary rights therein or the Government is entitled to the whole or any part of the forest produce thereof.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 29 of the said Act, the Governor, Himachal Pradesh is pleased to declare that the provisions of Chapter IV of the said Act shall apply to the said forest and waste land which shall hereafter be called a protected Forest.

SCHEDULE FOR NOTIFICATION OF FORESTS CONSTRUCTED TO BE CONVERTED INTO D.P.F. DURING THE CURRENT FOREST SETTLEMENT OPERATION OF MANDI FOREST DIVISION

Sl. No.	No. of Forest	Name of Range	Name of Division	Name of Forest	Name of muhal with No.H. Bast	Khasra No.	Total area in acres	Cardinal Boundaries
1	2	3	4	5	6	7	8	9
<i>District: MANDI</i>						<i>Tehsil: JOGINDERNAGAR</i>		
1.	175	Drang	Mandi	Sarch Nal Jilhan/378.	708/1, 756/1, 759, 937, 938, 946/769/1 = 7 Nos.	760/1,	348	North.—Boundary of Forest Jhatngri U.P.F. and land of Muhal Jilhan. South.—Boundary of Forest Bhardan U.P.F. East.—Boundary of muhal Markhan. West.—Land of Shri Joginder Sen Jhatngri.
2.	176	-do-	-do-	Sila-sawar	Sari/381	1470/1, 1505/1, 1657, 1659/1, 3884/3881/1658/1, 3338/1=6 Nos.	230	North.—Boundary of Forest and Cultivated land of Muhal Salh. South.—Boundary of Shila Sawar D.P.F. East.—Boundary of Muhal Lachkandi and Dalousa. West.—Boundary of lands of village Barahatu and Forests Chiladhar and Nagban.
3.	177	-do-	-do-	Badhoon Radahan/ dhar.	369.	317/1, 497/1, 515/1, 515/2, 515/3, 519/1 524/1=7 Nos.	182	North.—U.P.F. Futhakal. South.—Cultivated land and Charand Mosuma Muhal Radahn. East.—Mohal Satnog. West.—Lands and Charand of Muhal Radahn.
4.	178	-do-	-do-	Gawali	Radahn/369 Sarbala/363. Gawali/542.	452/1=1 No. 41/1/1, 70/1, 72/1, 73/1, 71/1, 74/1, 74/2, 76/1, 77/1=9 Nos. 340 & 341=2 Nos.	61	North.—Mohal Radahan and D.P.F. Satidhar. South.—Mohal Gawali and D.P.F. Mulsu. East.—Mohal Radahan and Gawali. West.—Muhal Sarbala.
5.	179	Darang	-do-	Satnog	Satnog/529	2, 3/1, 7/1, 9, 17/1, 318/1 and 319/1=7 Nos.	438	North.—Boundary of Muhal Futakhal. South.—Boundary of Forest Susang and Nala Saroutan. East.—Boundary of land of Village Satnog. West.—Boundary of Muhal Ghoghar dhar and Muhal Radahan.
6.	180	Kataula	-do-	Chandra-Shag-bagi.	Shag-nal/498.	47/1, 76/1, 83/1, 1/1=4 Nos.	54	North.—D.P.F. Rias. South.—Cultivated areas of Muhal Shangal. East.—U.P.F. Shangal. West.—Muhal Sihai.

1	2	3	4	5	6	7	8	9
7. 181	Kataula	Mandi	Chhuchhal.	Chhuchhal/500	8/1, 9/1, 408/1, 412/1, 1727/1 and 1728/1 =7 Nos.	91	North.—Cultivated lands of Muhal Chhuchhal. East.—D.P.F. Rias. South.—U.P.F. Hirban Nal. West.—Cultivated land of Muhal Chhuchhal.	
8. 182	-do-	-do-	Kashla	Kashla/494	718/1, 719/1/2, 747/1, 754/1, 767/2 and 1029/1=6 Nos.	174	North.—Kashala Nal. South.—Cultivated lands of Muhal Kashara. East.—U.P.F. Ropa. West.—Cultivated lands of Muhal Kashala.	
9. 183	-do-	-do-	Nog	Nog/523.	102/1, 235/1, 721/1, 723/5, 1101/3 and 1102/2=6 Nos.	206	North.—Ropa Khad. South.—U.P.F. Cheli. East.—U.P.F. Daroon. West.—Basti Sadkhara.	
10. 184	-do-	-do-	Shagnal	Shagnal/498.	100/1, 119/1, 186/1/1=3 Nos.	156	North.—D.P.F. Rias. South.—Muhal Chhuchhal. East.—D.P.F. Rias. West.—Cultivated land of Muhal Shagnal.	
11. 185	-do-	-do-	Hirban Nal	Chhuchhal/500.	412/2, 1726, 1727/2, 1728/2, 1729, 1730, 1731=7 Nos.	324	North.—U.P.F. Chhuchhal. South.—Muhal Padhar. East.—D.P.F. Rias. West.—Cultivated lands of Muhal Chhuchhal.	
12. 186	-do-	-do-	Daroon	Daroon/499.	4025/5, 4026/2, 4027, 4029, 4031, 4032/2, 4035/2, 4036=8 Nos.	744	North.—Cultivated lands of Muhal Daroon. South.—U.P.F. Cheli and U.P. F. Jorla. East.—U.P.F. Hirban Nal and Muhal Padhar. West.—U.P.F. Nog.	
13. 187	-do-	-do-	Ropa	Ropa/497. Kashahra/1032, 1033 and 495. Kashala/494.	216, 319, 356/1, 363/1, 363/3/1, 409, 1003, 1023, 1032, 1033 and 389/1, 719/1, 728/1, 742/1, 719/1/1=15 Nos.	384	North.—U.P.F. Kashala. South.—Cultivated lands of Muhal Ropa. East.—Muhal Shagnal and Muhal Daroon. West.—Nala and Cultivated lands of Muhal Kashara.	
14. 188	Panarsa	-do-	Gharar	Pali/518	Tehsil: SADAR 679/3/1, 702/1, 730/1, 731, 747/1 and 784/1=6. Kota Dhar/520 894/1 & 939=2. Sansoi/519, 55/1, 88, 206/1, 215/1, 242, 243/1, 244, 252/1, 265/1/1=9 =17 Nos.		165	North.—Lands of Muhal Pali. South.—Lands of Muhal Sansoi. East.—Cultivated lands of Muhal Kigas and Kotadhar. West.—Boundaries of D.P.F. Chublu.

Simla-2, the 26th April, 1977

No. Fts. (A) 7-15/76.—Whereas it is considered necessary that the portion of the protected forests specified in the notification shall be closed for a period of 15 years and that the rights of private persons in or over such portion shall be suspended during such period for the purpose of regeneration and artificial re-stocking in order to check erosion in soil conservation and whereas the remainder of such forest is sufficient and in a locality reasonably convenient for the due exercise of the rights

suspended in the portion so closed and whereas it is further considered necessary to prohibit the doing of any or all of the acts mentioned in clause (c) of section 30 of the Indian Forest Act, 1927 (Act No. XVI of 1927).

Now, therefore, in exercise of the powers conferred by section 30 of the Indian Forest Act, 1927 (Act No. XVI of 1927) the Governor of Himachal Pradesh is pleased to declare that the portion of the following forest areas situated in Suket Range of Suket Forest Division,

Bilaspur Forest Circle, Himachal Pradesh as per schedule given below shall be closed for a period of 15 years from the date of this notification and that the rights of private persons in or over such portion shall remain suspended during the said period of 15 years and he is further pleased to prohibit from the date of this notification:—

- (i) the quarrying and removal of stones;
- (ii) the burning of lime and charcoal;
- (iii) the breaking up or clearing for cultivation, for buildings, for herding or for any other purpose;
- (iv) grazing by all kinds of animals throughout the year;
- (v) cutting of grass throughout the year;
- (vi) lopping and cutting of trees and bushes throughout the year; and
- (vii) the collection or subjection to any manufacturing process or removal of any forest produce in or over or from the portion so closed.

Note.—Grass cutting may be permitted free to right holders on such terms and conditions as may be made and imposed by the Divisional Forest Officer, Suket Forest Division, in consultation with Gram Panchayat concerned.

Simla-2, the 20th June, 1977

No. Fts.(F)6-33/77.—Whereas it is considered necessary that portion of the protected forests specified in the notification shall be closed for a period of 15 years and that the rights of private persons over such portion shall be suspended during such period for the purposes of regeneration and artificial restocking in order to check erosion and whereas the remainder of such forests is sufficient in a locality reasonably convenient for the due exercise of the rights suspended in the portion so closed and whereas it is further considered necessary to prohibit the doing of any or all of the acts mentioned in clause (c) of section 30 of the Indian Forest Act, 1927.

Now, therefore, in exercise of the powers conferred by section 30 of the Indian Forest Act (Act No. XVI of 1927), President of India is pleased to declare that the portion of protected forests situated in Kunihar Forest Division as per schedule given below, shall be closed for a period of 15 years from the date of this notification and that the rights of private persons over such portions shall remain suspended during the said period of 15 years and he is

SCHEDULE

District : MANDI *Tehsil :* SUNDER NAGAR. *Ilalqua :* MALOH BAGAIN MOHAL.

Name of Forest	Area in Hec.	Area to be closed	Khasra No.	Boundaries
BADREN BOHALI DHAR UF.	32.59	20 ha.	594/125	N.—Badaran Dhar. E.—Cultivated land of Kamhard village. S.—Beholi vil-lage & cultivated land of Beholi vil-lage. W.—Bana-Ri-Dhar Kul-ora U.P.F.

further pleased to prohibit from the date of this notification:—

- (i) the quarrying and removal of stones;
- (ii) the burning of lime and charcoal;
- (iii) the breaking up or clearing for cultivation, for building, for herding cattle or for any other purpose;
- (iv) grazing by all kinds of animals throughout the year;
- (v) lopping and cutting of trees and bushes throughout the year;
- (vi) cutting of grass throughout the year; and
- (vii) the collection or subjection to any manufacturing process, or removal of any forest produce in or over or from the portion so closed.

Note.—Grass cutting may be permitted free to right holders on permits on such terms and conditions as may be imposed by the D.F.O Kunihar, in consultation with Gram Panchayat concerned.

SCHEDULE

District: SIMLA

Tehsil: SIMLA

Sl. No.	Name of Range	Period	Name of Forest	Total area of forest in hec.	Area to be closed in hec.	Kh. No.	Boundaries
1.	Dhami	15 yrs.	U.F. Taphakhari	10	4	162/1 164 165	North.—V Rajata. South.—Private Land. East.—Binnu UF. West.—Private Land.

By order,
R. C. GUPTA,
Secretary.

INDUSTRIES DEPARTMENT

CORRIGENDA

Simla-171002, the 28th June, 1977

No. 4-9/71-SI(FC)-II.—Please read “Deputy Secretary (Fin)” for “Joint Secretary (Fin.)” appearing in 2nd line of this Department Notification of even number, dated 26-5-1977.

Simla-171002, 28th June, 1977

No. 3-13/72-SI(HB).—Please read “Deputy Secretary (Finance)” for “Joint Secretary (Finance)” against the name of Shri K. C. Sharma, appearing in this Department notification No. 3-13/72-SI(HB), dated 16-5-77.

By order,
B. C. NEGI,
Commissioner and Secretary.

CERTIFICATES OF APPROVAL

Simla-2, the 28th June, 1977

No. IND. F(12) 117/75.—This is to certify that Shri Man Mohan Sharma, 15/3, G. T. Road, Kundli, District Sonapat, Haryana, is approved as a person who is qualified to acquire Prospecting Licence and Mining Lease in respect of Minerals except Petroleum and Natural Gas in the State of Himachal Pradesh under the Mineral Concession Rules, 1960.

2. This Certificate is valid upto 31st December, 1977.

Simla-2, the 28th June, 1977

No. IND. VI(F) (12)-22/77.—This is to certify that Shri Ram Dass s/o Bakhshi Gopal Dass, 184, Janta Sector, Bilaspur, Himachal Pradesh is approved as a person who is qualified to acquire Prospecting Licence and Mining Lease in respect of Minerals except Petroleum and Natural Gas in the State of Himachal Pradesh under the Mineral Concession Rules, 1960.

2. This Certificate is valid upto 31st December, 1977.

By order,
B. C. NEGI,
Secretary.

LANGUAGES AND CULTURAL AFFAIRS
DEPARTMENT

NOTIFICATION

Simla-2, the 22nd June, 1977

No. LCA-B(2)-5/76.—On the recommendations of the Departmental Promotion Committee, the President of India is pleased to Promote Shri V. C. Ohri permanent Curator, Bhuri Singh Museum, Chamba, as Curator, State Museum, Simla, with immediate effect, in the scale of Rs. 400-30-550/40-750/50-1250 Class I (Gazetted).

S. K. CHAUHAN,
Secretary.

RURAL INTEGRATED DEVELOPMENT
DEPARTMENT

ORDER

Simla-2, the 29th June, 1977

No. RID. I.B(3)-64/76.—The Governor, Himachal Pradesh is pleased to order that Shri A. N. Gautam, Extension Officer (Industries) Dhundla Block will hold the current charge of the post of Block Development Officer, Dhundla from the date of taking over i. e. 13-6-1977 till Shri A. K. Sharma, Block Development Officer, takes over on return from leave.

The matter with regard to the exercising of various powers by Shri A. N. Gautam. B. O. (Ind.) shall be governed in accordance with the Government of India, Instruction No. (1) below F. R. 49.

ANANG PAL,
Secretary.

VIDHAN SABHA SECRETARIAT

NOTIFICATIONS

Simla-171004, the 6th July, 1977

No. 1-26/77-VS.—The following order of the Governor of Himachal Pradesh, dated the 5th July, 1977 is published for general information:—

ORDER

“In exercise of the powers conferred upon me by sub-clause (a) of clause (2) of Article 174 of the Constitution of India, I, Aminuddin Ahmed Khan, Governor of Himachal Pradesh, hereby prorogue the Legislative Assembly of Himachal Pradesh.

AMINUDDIN AHMED KHAN,
Governor.”

Simla-171004, the 6th July, 1977

No. 1-36/77-VS.—The Speaker, Himachal Pradesh Legislative Assembly has nominated the following Members to constitute Committees of the House for the year 1977-78:—

1. COMMITTEE ON PUBLIC UNDERTAKINGS:

1. Shri Kunj Lal Thakur	Chairman
2. Shri Vijendra Singh	Member
3. Shri Anand Chand	Member
4. Shri Narain Chand Parashar	Member
5. Shri Ram Nath Sharma	Member
6. Shri Radha Raman Shastri	Member
7. Shri Ram Rattan	Member

2. COMMITTEE ON GOVERNMENT ASSURANCES:

1. Shri Satya Dev Bushahri	Chairman
2. Shri Sat Mahajan	Member
3. Shri Milk Raj	Member
4. Shri Durga Dass	Member
5. Shri Yog Raj	Member
6. Shri Partap Chaudhri	Member
7. Shri Om Chand	Member

- | | | | |
|-----------------------------|----------------|----------------------|----------------|
| 8. Shri Moti Ram, | <i>Member;</i> | 4. Shri Hardyal, | <i>Member;</i> |
| 9. Shri Gian Chand (Chamba) | <i>Member;</i> | 5. Shri Anand Chand, | <i>Member;</i> |
3. COMMITTEE ON SUBORDINATE LEGISLATION:
- | | | | |
|------------------------------|------------------|-------------------------------------|------------------|
| 1. Shri Kaul Singh, | <i>Chairman;</i> | 7. COMMITTEE ON PRIVILEGES: | |
| 2. Shri Thakur Sen Negi, | <i>Member;</i> | 1. Shri Ranjit Singh Verma, Hon'ble | <i>Chairman;</i> |
| 3. Shri Guman Singh Chauhan, | <i>Member;</i> | Deputy Speaker, | <i>Member;</i> |
| 4. Shri Harbans Singh, | <i>Member;</i> | 2. Shri Narain Chand Parashar, | <i>Member;</i> |
| 5. Shri Mohan Lal, | <i>Member;</i> | 3. Shri Thakur Sen Negi, | <i>Member;</i> |
| 6. Shri Tulsi Ram, | <i>Member;</i> | 4. Shri Gulab Singh, | <i>Member;</i> |
| 7. Shri Agya Ram, | <i>Member;</i> | 5. Shri Nagin Chandra Pal, | <i>Member;</i> |
| 8. Shri Narain Singh Swami, | <i>Member;</i> | 6. Shri Ram Nath Sharma, | <i>Member;</i> |
| 9. Shri Joginder Pal, | <i>Member.</i> | 7. Shri Sadhu Ram, | <i>Member.</i> |
4. COMMITTEE ON THE WELFARE OF SCHEDULED CASTES/SCHEDULED TRIBES:
- | | | | |
|---------------------------|------------------|--|------------------|
| 1. Shri Chaman Lal, | <i>Chairman;</i> | 8. RULES COMMITTEE: | |
| 2. Shri Kashmir Singh, | <i>Member;</i> | 1. Shri Sarvan Kumar, Hon'ble Speaker, | <i>Chairman;</i> |
| 3. Shri Siri Ram Jakhami, | <i>Member;</i> | 2. Shri Ranjit Singh Verma, Hon'ble | <i>Member;</i> |
| 4. Shri Sadhu Ram, | <i>Member;</i> | Deputy Speaker, | <i>Member;</i> |
| 5. Shri Guler Chand, | <i>Member;</i> | 3. Shri Guman Singh Chauhan, | <i>Member;</i> |
| 6. Shri Ishar Dass, | <i>Member;</i> | 4. Shri Mohan Lal, | <i>Member;</i> |
| 7. Shri Ram Rattan, | <i>Member.</i> | 5. Shri Guler Chand, | <i>Member;</i> |
| | | 6. Shri Vijendra Singh, | <i>Member;</i> |
| | | 7. Shri Agya Ram, | <i>Member.</i> |
5. COMMITTEE ON PETITIONS:
- | | | | |
|----------------------------|------------------|-------------------------------------|------------------|
| 1. Shri Vijay Kumar Joshi, | <i>Chairman;</i> | 9. HOUSE COMMITTEE: | |
| 2. Shri Bhaskera Nand, | <i>Member;</i> | 1. Shri Sarvan Kumar, Hon'ble | <i>Chairman;</i> |
| 3. Shri Udho Ram, | <i>Member;</i> | Speaker, | <i>Member;</i> |
| 4. Shri Hardyal, | <i>Member;</i> | 2. Shri Ranjit Singh Verma, Hon'ble | <i>Member;</i> |
| 5. Shri Sadhu Ram, | <i>Member.</i> | Deputy Speaker, | <i>Member;</i> |
6. BUSINESS ADVISORY COMMITTEE:
- | | | | |
|---|------------------|-------------------------------|----------------|
| 1. Shri Sarvan Kumar, Hon'ble Speaker, | <i>Chairman;</i> | 3. Shri Kashmir Singh, | <i>Member;</i> |
| 2. Shri Ranjit Singh Verma, Hon'ble | <i>Member;</i> | 4. Shri Rangila Ram, | <i>Member;</i> |
| Deputy Speaker, | | 5. Shri Daulat Ram Sankhyani, | <i>Member;</i> |
| 3. Shri Roop Singh, Chief Parliamentary | | 6. Shri Satya Dev Bushahri, | <i>Member;</i> |
| Secretary, | <i>Member;</i> | 7. Shri Milk Raj, | <i>Member.</i> |

V. P. BHATNAGAR,
Secretary.

भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि

DIRECTORATE OF AGRICULTURE

NOTIFICATION

Simla-5, the 29th June, 1977

No. 9-1/76-Agr.-III.—In exercise of the powers vested in me vide sub-para 2 of Rule 1.26 of Himachal Pradesh Financial Rule, Vol-I, 1971 and Rule 191 of Supplementary Rules, I hereby declare, the Dy. Directors of Agriculture, Bilaspur, Chamba and Kulu, as Drawing and Disbursing Officers, Heads of Office as well as Controlling Officers to countersign the T. A. bills/medical re-imbursement claims etc. of Class III and IV Government servants working under them in respect of the scheme under major head '305—Agriculture (Plan) (i) Scheme for Small/Marginal Farmers and Agricultural Labour (i) (i) Small Farmers Dev. Agency'.

G. S. CHAMBIAL,
Director.

OFFICE OF THE DISTRICT MAGISTRATE, CHAMBA DISTRICT, CHAMBA

ORDER

Chamba, the 5th July, 1977

No. 8-CBA-11 (7)/77-MLC.—In exercise of the powers vested in me under section 74 of the Motor Vehicles Act, 1939, I, Yogesh Khanna, District Magistrate, Chamba, do hereby restrict the driving of Motor Vehicles in the interest of public safety within and outside the Municipal limits as under:—

(i) Within Municipal Limits: . . 25 km. per hour.

(ii) Outside Municipal limits . . 40 km. per hour

This order will come into force with immediate effect.

YOGESH KHANNA,
District Magistrate, Chamba.

**DIRECTORATE, CONSOLIDATION OF HOLDINGS,
HIMACHAL PRADESH**

NOTIFICATION

Simla-4, the 29th June, 1977

No. P.ACO/2578.—In the interest of general public and for the purposes of better cultivation of land, I, Sohan Singh, Director, Consolidation of Holdings, Himachal Pradesh, in exercise of the powers under sub-section (1) and (2) of section 14 of the Himachal Pradesh Holdings (Consolidation and Prevention of Fragmentation) Act, 1971, as delegated to me *vide* notification No. 9-1/73-Rev. II, dated 4-5-1977, hereby declare the intention of the Himachal Pradesh Government to make a scheme for Consolidation of Holdings for the under-mentioned estates:—

Tehsil: BILASPUR

District: BILASPUR

Sr No.	Name of Village	H.B. No.	Total Area in Acres
1	2	3	4
1.	KALAR	269	136
2.	TALSARI	268	340

SOHAN SINGH,
Director.

FOOD AND SUPPLIES DEPARTMENT

OFFICE ORDER

Bilaspur the 30th June, 1977

No. 3184.—In exercise of powers vested under the Himachal Pradesh Salt Distribution and Price Control Order, 1971 as delegated to the undersigned under clause 2 (B) of the salt (Distribution and Price) Control Order, 1971 by the District Magistrate Bilaspur district, H. P. *vide* notification No. 7697, dated 29-9-1975 the wholesale rate of Iodized Salt is fixed Rs. 24-70 per Qtl. and 27 paise per kg. as retail rate at Ghumarwin of the consignment received by M/S Atma Ram Bal Krishan Ghumarwin, Bilaspur district during the month of June, 1977. The retail sale rates for other places of the District will be wholesale rate *i.e.* Rs. 24.70 transportation charges @ 6½ paise and 8 paise per quintal per K. Metres of Pacca and Kachha road respectively and actual loading unloading charges the dealers are required to display the price of Iodized salt and are required to sell the Iodized salt on the above rates, those who fail to comply with the above constructions are liable for action under Essential Commodities Act, 1955.

Sd/-
District Food and Supplies Controller,
Bilaspur district.

**OFFICE OF THE DIVISIONAL FOREST OFFICER
SERAJ FOREST DIVISION, BANJAR**

ORDER

Banjar, the 1st July, 1977

No. 850-913/G.—The order to establish Barrier at Nogali on Rampur Simla and Ani-Simla road *vide*

this office No. 1051-1100/G. dated 25-6-75 is hereby cancelled as there is no need to kept Barrier under present circumstances.

G. S. NEGI,
Divisional Forest Officer,
Seraj Forest Division Banjar.

DIRECTORATE OF HORTICULTURE

NOTIFICATION

Simla-2, the 15th July, 1977

No. DH. PP. 2-16/75-II.—Where it appears to the State Government that the disease mentioned hereunder is injurious to plants in Himachal Pradesh and that it is necessary to take measures to eradicate this disease to prevent its spread and reappearance, I, in exercise of the powers of section 3 (i) of the Himachal Pradesh Agricultural Pests, Diseases and Noxious Weeds Act (Act No. 18 of 1969) conferred on me *vide* Himachal Pradesh Government notification No. 6-17/69-Agr. (Sectt.)-II, dated the 28th September, 1976, hereby declare for the information of general public the fruit disease *i.e.* Apple Scab (*Venturia inaequalis*) as disease injurious to apple crop in Himachal Pradesh and further in exercise of the powers of section 3(iv) direct the carrying out of suitable preventive and remedial measures, including the destruction of plants infested with the above mentioned disease. This notification will remain in force for a period of one year from the date of issue in Pargana Cheor of Kotkhai Sub-Tehsil in Simla district.

With the issue of this notification every occupier/ orchardists shall be bound to carry out the preventive remedial measures against the disease mentioned in the notification as per proviso of section 4 (1) of the Himachal Pradesh Agricultural Pests, Diseases and Noxious Weeds Act, 1969.

R. S. RANA,
Director,

INDUSTRIES DEPARTMENT

FORM 'Q'

FORM OF NOTICE UNDER SECTION 24

Kulu, the 30th June, 1977

No. Ind./Dev./Loan/1869.—Whereas a notice was served on Shri Kesho Ram s/o Shri Gira Ram, V. P. O. Puid, Tehsil Kulu, District Kulu on 27-2-76 under section 23 of the Himachal Pradesh State Aid to Industries Act, 1971 calling upon the said Shri Kesho Ram to pay the said sum of Rs. 1500/- (one thousand five hundred) before the March, 1976 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 1500/- is due from the said Shri Kesho Ram and that the property described in the attached schedule is liable for the satisfaction of the said debt.

RECOVERY SCHEDULE

1. Shri Dile Ram s/o Shri Hukam Ram, V. P. O. Puid Kulu given his residential costing Rs. 7,000 as personal surety.

2. Shri Sohan Lal s/o Shri Jai Ram, V. P. O. Puid Kulu has given his residential house costing Rs. 7,000 as personal surety.
3. All assets present and to be hereinafter acquired by the loanee, whether the said assets are present or in future in his name including book debts, stocks, shares, premises and machinery and purchased with the aid of loan or a part thereof and any other personal security of the loanee.

M. M. KATH,
District Industries Officer, Kulu.

FORM 'Q'

FORM OF NOTICE UNDER SECTION 24

Kulu, the 30th June, 1977

No. Ind./Dev./Loan/1883.—Whereas a notice was served on Shri Anup Kumar Village Neoli, P. O. Puid, Tehsil Kulu, District Kulu on February, 1976 under section 23 of the Himachal Pradesh State Aid to Industries Act, 1971 calling upon the said Shri Anup Kumar to pay to me the said sum of Rs. 2,000/- (Two thousand) before 31-3-76 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 2,000/- is due from the said Shri Anup Kumar and that the property described in the attached schedule is liable for the satisfaction of the said debt.

RECOVERY SCHEDULE

1. Shri Bala Ram s/o Shri Budhu, V. P. O. Dhalpur Kulu, was offered his residential house valuing Rs. 15,000/- as personal surety.
2. Haru s/o Shri Teju, Dhalpur Kulu has offered his residential house valuing Rs. 15,000 as personal surety.
3. All assets present and to be hereinafter acquired by the loanee, whether the said assets are present or in future in his name including books, debts, stocks, shares, premises and machinery and purchased with the aid of loan or a part thereof and any other personal security of the loanee.

M. M. KATH,
District Industries Officer, Kulu.

HIMACHAL PRADESH MEDICAL COLLEGE, SIMSA-1

NOTIFICATION

Simla-1, the 30th June, 1977

No. 4-2/76 M.C.—In exercise of the Powers vested in me under rule 1.26 of Himachal Pradesh Financial Rules Vol. I, 1971, I hereby declare Dr. V. K. Bhargava Professor of Pharmacology H. P. Medical College, Simla as Drawing and Disbursing Officer under Head 280—Medical (C) Education (C) (1) Medical College (Plan and Non-Plan) and 281. Family Planning (Plan) + 282 Public Health Centrally Sponsored Scheme (g) Other Service and Supplies (g) (iv) Post-Partum Centre.

The above named Officer will also be Controlling Officer in respect of T.A. bills of Class-III and IV employees of Himachal Pradesh Medical College, Simla.

Sd/-
Director (Principal).

PUBLIC WORKS DEPARTMENT

NOTIFICATION

Dharamsala, the 4th July, 1977

No. SEV/LA-PLP/WSIII/4754-57.—Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of Bajnath-Lad-Bharol-Kandapattan road, it is hereby declared that the land described in the specification below is required for the above purpose.

The declaration is made under the provision of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Kangra is hereby directed to take order for the acquisition of the said land.

A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Kangra.

SPECIFICATION

District: KANGRA Tehsil: PALAMPUR

Village	Khasra No.	Hectares		
1	2	3		
KASBA	839/2/1 847/1	0 0	0 1	20 16
Total	..	0	1	36
GARTHALI	1/1 2/1 3/1 4/1 6/1 30 77 81 82/1 83/1	0 0 0 0 0 0 0 0 0 0	0 0 0 0 1 4 2 0 1 4	03 43 18 34 11 86 70 32 40 19
Total	..	10	0	15 56

Sd/-
Superintending Engineer,
5th Circle, H. P. P.W.D., Dharamsala.

भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनेन्शियल कमिशनर तथा कमिशनर आफ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि

शून्य

भाग 4—स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायती राज विभाग

PANCHAYATI RAJ VIBHAG

ORDER

Simla-2, the 6th July, 1977

No. Pch-HA(5)-188/76.—Whereas on an inquiry, Shri Roop Ram, Panch Gram Panchayat Chanog, Tehsil and District Simla was found guilty of absenting himself from the meeting of Gram Panchayat for more than two consecutive months.

And whereas a show cause notice for removal under section 54 (2) (c) of the H.P. Panchayati Raj Act, 1968 read with Rule 77 of the Himachal Pradesh Gram

Panchayat Rules 1971 was issued to him vide this order of even number, dated the 23rd December, 1976;

And whereas no reply has been received from the said Shri Roop Ram Panch, to the said notice;

Now, therefore, the Governor of Himachal Pradesh in terms of section 54 (2) (c) of the Himachal Pradesh Panchayati Raj Act, 1968, is pleased to order the removal of Shri Roop Ram, Panch, Gram Panchayat Chanog, Tehsil and District Simla from the office of Panch and further direct him to handover all record and property belonging to Panchayat, if any, lying with him to the acting Pradhan.

Sd/-
Under Secretary.

भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

In the Court of the District Judge Simla, Bilaspur and Kinnaur districts at Simla (H. P.)

Saighal, General power of attorney, Parbati Cottage, Summer Hill, Simla-5.

..Petitioner.

S. A. 5/2 OF 1977

Smt. Paryati Devi Bansal wd/o Shri Padam Swarup Bansal c/o Surinder Kumar Bansal, Snowdon Hospital Simla-1.

General Public.

Versus

..Respondent.

..Petitioner.

Versus

General Public.

To

General Public.

To

General Public.

Whereas in the above noted case the petitioner has filed an application under section 372 of the Indian Succession Act, 1925 in respect of the deceased Shri Padam Swarup s/o Piary Lal of his debt and securities.

Whereas in the above noted case the petitioner has filed an application, under section 372 of the Indian Succession Act, 1925 in respect of the deceased Shri Amar Nath of his debt and securities.

This notice is hereby given to the general public that if any body has got any objection to the grant of the succession certificate in favour of the petitioner may file the same in this Court on or before 3-8-1977.

This notice is given to the general public that if any body has got any objection to the grant of the succession certificate in favour of the petitioner, may file the same in this Court on or before 20-8-1977 afterwards no objection will be entertained.

Given under my hand and the seal of the court this day 1977.

Given under my hand and the seal of the court this 12th day of July, 1977.

Seal.

T. R. HANDA,
District Judge Simla.

Seal.

T. R. HANDA,
District Judge Simla.

In the Court of District Judge Simla, Bilaspur and Kinnaur districts, at Simla (H. P.)

In the Court of Shri R. K. Gupta, Senior Sub-Judge, District Sirmur at Nahau

S. A. No. 22—S/2 OF 1977

CIVIL SUIT No. 1/7/77

Smt. Bhagirathi Devi through Smt. Anuradha

In the matter of Mohd. Idrish s/o Mohd. Sharif, r/o

Vikas Nagar, District Dehradun (U.P.)

..Petitioner
Plaintiff.

In the Court of Shri M. D. Sharma, Sub-Judge, Dehra,
District Kangra

Versus

CIVIL SUIT No. 87/77

Shri Virender Singh s/o Gurdit Singh, r/o Nahan, Near
Branch Post Office, Kutcha Johr, Nahan .. Respondent
Defendant.

Gorkhu

Versus

Kalyan Singh.

To

Kalyan Singh s/o Raghbir Singh, r/o Dhawala, Teh.
Dehra .. Defendant.

Pauper—Petition No. 1/7 of 1977

Whereas the petitioner-plaintiff has filed a pauper-suit
against the defendant-respondent in this court. Sum-
mons/notices were issued in this behalf against the
respondent-defendant several times, but the said respon-
dent-defendant has been evading the service and the ser-
vice has not been effected.

Now it has been proved to the satisfaction of this
court that they cannot be served in an ordinary way.
Hence this proclamation under O. 5, R 20, C.P.C. is
issued against the respondent-defendant that he should
attend this court in person or through his lawyer or
duly authorised agent on 3-8-77 at 10 A.M. failing which *ex*
parte proceedings shall be taken against him.

Given under my hand and the seal of the court on this
4th day of July, 1977.

Seal.

R. K. GUPTA,
Senior Sub-Judge.

SUIT FOR PERMANENT INJUNCTION

Whereas in the above noted civil suit it has been proved
to the satisfaction of this court that the above named
defendant cannot be served through an ordinary course
of service, hence this publication under order 5, rule, 20
C.P.C. is hereby issued that he should attend this court
personally or through an advocate or an authorised
agent on 3-8-77. Failing which *ex parte* proceedings
shall be taken against him.

Given under my hand and the seal of the court this
11th day of July, 1977.

Seal.

M. D. SHARMA,
Sub-Judge.

In the Court of Shri M. D. Sharma, Judicial Magistrate
2nd Class, Dehra, District Kangra

Police Challan No. 9-1/77

व अदालत आर० के० गुप्ता सीनियर सब-जज नाहन, जिला सिरमौर

State

Versus

Anant Ram etc.

मुकदमा नम्बर 12/2 of 77

Prem Sagar c/o Yoursh Housiery Woollen Mills Ses-
sions Chowak Civil Line Ludhiana. .. Accused.

शान्ती देवी सुपुत्री जयना देवी पत्नी मोहन लाल, निवासी ग्राम बनोग,
तहसील पच्छाद, जिला सिरमौर ।

Whereas complaint has been made before me that
Prem Sagar c/o Yoursh Housiery Woollen Mills Sessions
Chowak Civil Line Ludhiana is suspected to have com-
mitted the offence Punishable under section 447/427/147
of the Indian Penal Code, and it has been returned to a
warrant of arrest there upon issued that the said Prem
Sagar cannot be found, and whereas it has been shown
to my satisfaction that the said Prem Sagar has
abscond.

बनाम

ग्राम जनता

Proclamation is hereby made that the said accused is
required to appear before me to answer the said com-
plaint on the 12th day of August, 1977.

बनाम:—ग्राम जनता

जो कि शान्ती देवी ने दरखास्त हासिल करने सटिफिकेट
जानशोनी बाबत मृतक श्री पलक राम अदालत हजा में पेश की है जो
कि मिति 4-7-77 को मन्जूर होकर दर्ज रजिस्ट्र हुई । लिहाजा
बनावर अगाही बरादरा व कराबत दारान मुतवफकी इश्तहार हजा जारी
जाता है कि जिस शख्स के निस्वत दरखास्त मजकूर उजरदारी
करनी हो वह किवल अज मिति 12-8-77 अदालत हजा में
हाजिर होकर उजर पेश करें, वरना कोई उजर बाद इनकजये
मिति 12-8-77 मजकूर समायत न होगा ।

Given under my hand and the seal of the court this
8th day of July, 1977.

Seal.

M. D. SHARMA,
Judicial Magistrate.

In the Court of Shri M. D. Sharma, Sub Judge Dehra,
District Kangra

CIVIL SUIT No. 12 OF 1977

Jhanu Ram

Vs.

Mansha Ram etc.

To

Panjab Singh s/o Mani Ram, caste Tarkhan, r/o
Dhaliara Tehsil, Dehra, District Kangra.

.. Defendant.

मोहर

आर० के० गुप्ता,
सीनियर सब-जज ।

SUIT FOR POSSESSION

Whereas in the above noted civil suit it has been

proved to the satisfaction of this court that the above named defendant cannot be served through an ordinary means, hence this publication under Order 5, Rule 20 CPC is hereby issued that he should attend this court personally or through an Advocate or an authorised agent on 8-8-1977. Failing which *ex parte* proceedings shall be taken against him.

Given under my hand and the seal of the court this 11th day of July, 1977.

Seal.

M. D. SHARMA,
Sub-Judge.

In the Court of Shri M. D. Sharma, Sub Judge Dehra,
District Kangra

CIVIL SUIT No. 130 of 76

Hari Chand

Vs.

Milkhi.

To

Kishori Lal s/o Ishar Singh Tarkhan, r/o Tika &
Mauza Sawana, Tehsil Dehra.

..Defendant.

Whereas in the above noted civil suit it has been proved to the satisfaction of this court that the above named defendant cannot be served through an ordinary course of service, hence this publication under order 5 rule 20 CPC is hereby issued that he should attend this court personally or through an Advocate or an authorised agent on 3-8-77. Failing which *ex parte* proceedings shall be taken against him.

Given under my hand and the seal of the court this 11th day of July, 1977.

Seal.

M. D. SHARMA,
Sub-Judge.

In the Court of Shri M. D. Sharma, Sub-Judge, Dehra
District Kangra

CIVIL SUIT No. 277/76

Gian Singh

Versus

Chhotu.

To

Devi Saran s/o Kirpa s/o Rijhu, r/o Katoi, Sudran
Mouza Choukath, Tehsil Dehra ..Defendant.

Whereas in the above noted civil suit it has proved to the satisfaction of this court that the above named defendant cannot be served through an ordinary course of service, hence this publication under order 5, rule 20, C.P.C. is hereby issued that he should attend this court personally or through an advocate or through an authorised agent on 28-7-77. Failing which *ex parte* proceedings shall be taken against him.

Given under my hand and the seal of the court this 8th day of July, 1977.

Seal.

M. D. SHARMA,
Sub-Judge.

Before the Rent Controller (3) Simla

Shri Kali Dass s/o Shri Ganga Ram Owner/Lord of
building No. 126/1, Krishan Nagar, Simla.

..Applicant.

Versus

1. Shri Jaswant Singh care of Employment Officer,
Kasauli, Tehsil and District Solan Himachal Pradesh.

2. Shri Jarnail Singh Head Draftsman, office of
the Chief Engineer, H. P. P. W. D., U. S. Club, Simla.

3. Shri Man Singh Set No. 4 second Floor, 126/1
Krishan Nagar, Simla-1.

Application under section 14 of the Himachal Pradesh
Urban Rent Control Act, 1971.

NOTICE UNDER ORDER 5, RULE 20 C. P. C.

Whereas in the above noted case, it has been proved to the satisfaction of this court that the above named Respondent (Jaswant Singh) cannot be served by ordinary process as the summons to the respondent (Jaswant Singh) have been received back as un-served.

Hence, a notice under Order 5, Rule 20 C. P. C. is hereby issued against the above named respondent to appear in this court on 2-8-77 at 10 A. M. personally or through Advocate otherwise *ex parte* proceedings shall be taken against the said respondent (Jaswant Singh).

Given under my hand and the seal of the court this 20th day of July, 1977.

Seal.

R. C. SHARMA,
Rent Controller (3) Simla.

बसदालत श्री प्रेम सिंह तहसीलदार, व अखत्यारात सहायक
कुल्लेक्टर दर्जा दोयम, हमीरपुर (हि 0 प्र 0)

देश राजपुत्र शेर सिंह वादी जीहन

.. सायल ।

बनाम

ईश्वर दास आदि वादी चौड़

.. मसूलअलयम ।

विषय :- दरख्वास्त दस्तुती इन्द्राज खाता नं 0 20 मिन
खसरा न 0 179-254/228 रकबा 8-14 वाकया
टीका जीहन, तथा चौड़ ।

नोटिस बनाम :

ईश्वर दास, मुकन्द लाल, रविन्दर कुमार सुपुल बृज लाल
वासी जीहन, तथा चौड़, तहसील व जिला हमीरपुर

उपरोक्त मुकदमा उनवान बाला में अदालत हजा को पूरा
यकीन हो गया है कि मसूलअलयम की तामील साधारण तारीक से
नहीं हो रही है अतः मसूलअलयम को इस्तहार अखबार हिमाचल
प्रदेश राजपुत्र द्वारा सूचित किया जाता है कि मसूल अलयम दिनांक
5-9-77 को प्रातः 10 बजे अदालतन अथवा वकालतन हाज़र

हो कर मुकदमा की पैरवी करें अन्यथा उनके खिलाफ कार्यवाही एक तरफा अमल में लाई जायेगी।

श्री प्रेम सिंह,
सहायक कुलैक्टर दर्जा दोयम
हमीरपुर।

Housing Board (Allotment, Management and Sale of Houses/Plots) Regulations, 1973.

(2) They apply to the allotment of Houses/Plots constructed developed by the Housing Board, Himachal Pradesh by way of Sale or otherwise as under:—

- (i) The Middle Income Group Housing Scheme,
- (ii) The Low Income Group Housing Scheme,
- (iii) The Economically Weaker Section Scheme, OR
- (iv) Any other scheme approved for the purpose of these Regulations by the State Government.

बसदालत श्री प्रेम सिंह सहायक कुलैक्टर, दर्जा दोयम (तहसील दार) हमीरपुर, तहसील व जिला हमीरपुर, (हिमाचल प्रदेश)।

सरद चन्द पुत्र हीरा सिंह वादी जिह्न तथा चौड़ू .. सायन।

2. Definition.—In the Regulations, unless there is anything repugnant in the subject or context:

बनाम

ईश्वर दास आदि सुपुत्र वृज लाल बादी जीह्न .. मसूलअलयम

विषय:—दरखास्त दर्स्ती इन्दराज खाता नं० 20 मिन खबरा नं० 257/228, 258/228 रकबा 8 कनाल 19 मरला वाक्या टीका जीह्न, तथा चौड़ू, तहसील हमीरपुर।

- (a) 'Act' means the Himachal Pradesh Housing Board Act, 1972;
- (b) 'Allottee' means a person to whom a house/plot under any Scheme referred to in the regulation 1 (2) is allotted by way of sale or otherwise,
- (c) 'Allotment Committee' means a Committee constituted by the Board under Section 18 of the Act for the allotment of houses/plots under these Regulations;
- (d) 'Allotment Letter' means a letter in such form as may be prescribed by the Board from time to time making allotment of a particular house/plot to an applicant;
- (e) 'Applicant' means a person applying to the Board for allotment of house/plot under these Regulations;
- (f) 'Application' means an application made to the Board in such form as may be prescribed from time to time for the allotment of houses/plots;
- (g) 'Bona fide Himachali' means a person who is residing permanently in Himachal Pradesh since the partition of the country or a person residing in Himachal Pradesh for the last 15 years whether owning property or not;
- (h) 'Deposit' means the initial amount payable by an applicant along with his application for securing a house/plot which shall be non-interest bearing;
- (i) 'Documental Charges' in relation to a document or documents made in pursuance of these Regulations means all charges such as stamp charges, registration charges, printing charges and plan charges;
- (j) 'Estate Manager' means the officer appointed as such under Section 13 of the Act;
- (k) 'Hire' means a person who has participated in the hire-purchase system and who has signed the Hire Purchase Tenancy Agreement.
- (l) 'Hire Purchase' or 'Higher Purchase System' means a system in which a participant takes steps to secure rights in a property under a scheme by payment of deposit and also a specified number of monthly instalments spread over a specified number of years during which he remains a tenant on the terms and conditions set for the purpose and on the expiry of the number of said years ceases to be a tenant and becomes owner after payment of all dues;
- (m) 'House' means a house constructed by the Board under any of the Housing Schemes referred to in Regulation 1(2),
- (n) (i) 'Income' in relation to an applicant or allottee means the total annual income regularly derived by a person from his occupation, trade, business

नोटिस बनाम:

ईश्वर दास, मुकन्द लाल, रविन्दर कुमार सुपुत्र वृज लाल, वासी जीह्न तथा चौड़ू, तहसील व जिला हमीरपुर।

उपरोक्त मुकदमा जनवान वाला में अदालत हजा की पूरा यकीन हो गया है कि मसूलअलयम की तामील साधारण तरीका से नहीं हो रही है अतः मसूलअलयम इस्तहार अखबारी हिमाचल प्रदेश राजपथ द्वारा सूचित किया जाता है कि मसूलअलयम दिनांक 5-9-77 को अयालतन अथवा बकालतन हाजर हो कर मुकदमा पैरवी करे अन्यथा उन के खिलाफ कार्यवाही यकनरफा अमल में लाई जायेगी।

प्रेम सिंह,
सहायक कुलैक्टर, दोयम दर्जा,
हमीरपुर।

HIMACHAL PRADESH HOUSING BOARD

'ADMINISTRATIVE SECTION'

NOTIFICATION

Simla the 14th April/2nd May, 1977

No. HB. 73 (Regulations).—In pursuance of section 53 of the Himachal Pradesh Housing Board Act, 1972, the H.P. Housing Board with prior approval of the State Government of Himachal Pradesh Department of Housing, obtained vide their letter No. 8-7/73-Hou. dated 14th February, 1974 is pleased to frame the H.P. Housing Board Allotment, Management and Sale of Houses/Plots Regulations as follows:—

(ALLOTMENT, MANAGEMENT AND SALE OF HOUSES/PLOTS) REGULATIONS

1. Short title, application and commencement.—
- (1) These Regulations may be called the Himachal Pradesh

or employment or any calling or source, constituting normal means of livelihood;

(ii) 'Monthly Income' means annual Income divided by twelve;

(a) 'Initial Instalment' means such amount of the purchase price of a house/plot as the Board had determined or may determine and which an allottee is required to pay to the Board before occupying such house/plot, regard being had to the cost of a house constructed/plot developed under any scheme of the Board;

(p) 'Local authority' means a Municipality constituted by the Government under Section 3 of the H.P. Municipal Act, 1968,

(g) 'Plot' means a piece of land developed for residential, industrial or commercial purposes by the Board under any of the Housing Schemes referred to in regulation 1(2).

(r) 'Purchase Price' in relation to a house/plot means the price at which the Board may sell the house/plot to an allottee by sale or otherwise, the amount being fixed for each case on the basis approved by the Board from time to time.

(s) 'Secretary' means the Secretary of the Board as defined in Section 2(1) of the Himachal Pradesh Housing Board Act, 1972 and includes any other person authorised by him in writing to act on his behalf;

(i) 'Scheme' means a Housing Scheme prepared by Board as provided in chapter III of the Act;

(u) 'State Government or Government' means the Government of Himachal Pradesh;

(v) A person belonging to 'Economically Weaker Section' means a person whose monthly income is less than Rs. 350, a person belonging to 'Low Income Group' means a person whose income is from Rs. 350 to 600 per mensem and a person belonging to 'Middle Income Group' means a person whose income is from Rs. 601 to 1500 per mensem. A person belonging to 'Higher Income Group' means a person whose income is more than Rs. 1500 per mensem.

(2) The meaning of interpretation of terms and conditions and definitions not given in these regulations shall have the same meaning and interpretation as given in the Act or the Rules, Regulations and Bye-laws made thereunder.

3. *Allotment of houses/plots.*—(1) As soon as any house is ready for occupation or the plots are ready for sale, the Board may subject to the provisions of these Regulations, allot houses/plots to the eligible persons in accordance with the provisions of these Regulations.

(2) The allotment of houses/plots to the eligible persons will be made on perpetual lease basis.

4. *Fixation of Price.*—The purchase price of house/plot shall be determined by the Board.

5. *Issue of notice for inviting applications and Power of Board to allot houses/plots.*—(1) The Board shall issue a public notice in such newspapers as it may think fit for inviting applications for allotment of house/plots offered under any scheme before such date as may be specified in the notice.

(2) The notice shall specify the location of the houses/plots, its area, details of accommodation/area available

for allotment and the class of persons for whom the number of houses/plots under any scheme is reserved.

(3) The mode of payment of cost of houses/plots will be as given below:—

(1) *Under Economically Weaker Section Scheme (Built-up-Houses)*

(a) Initial amount to be paid at the time of registration Rs. 50 against earnest money of Rs. 500. The remaining earnest money of Rs. 450 payable on demand.

(b) Amount to be paid at the time of allotment at the rate of 5% of the cost.

(c) Balance amount with interest as fixed by the Government for the purpose from time to time to be recovered in monthly instalments in 20 years.

(2) *Under L.I.G. Scheme Built-up-Houses*

(a) Initial amount to be paid at the time of registration Rs. 150 against earnest money of Rs. 2000.

The remaining earnest money of Rs. 1850 payable on demand.

(b) Amount to be paid at the time of allotment at the rate of 10% of the total cost (Purchase Price).

(c) After six months of allotment of the total cost (Purchase Price) @ of 10%.

(d) Balance amount with interest as fixed by the Government for the purpose from time to time to be recovered in monthly instalments in 15 years period.

(3) *Under M.I.G. Scheme (Built-up-Houses)*

(a) Initial amount to be paid at the time of registration Rs. 250 against earnest money of Rs. 2000. The remaining earnest money of Rs. 1750 payable on demand.

(b) Amount to be paid at the time of allotment at the rate of 10% of the total cost (Purchase Price).

(c) Six months after the allotment at the rate of 10% of the total cost (Purchase Price).

(d) Balance amount with interest as fixed by the Government for the purpose from time to time to be recovered in monthly instalments within the period of 12 years.

(4) *Under High Income Group Scheme (Built-up-Houses)*

(a) Initial amount to be paid at the time of registration Rs. 1000 against earnest money of Rs. 5000. The remaining earnest money of Rs. 4000 payable on demand.

(b) Amount to be paid at the time of allotment 15% of the total cost (Purchase Price).

(c) Six months after the allotment 15% of the total cost (Purchase Price).

(d) Balance amount with interest as fixed by the Government for the purpose from time to time to be recovered in monthly instalments within the period of 10 years.

(5) *Payment of cost of plot under E.W.S. Scheme*

(a) Initial amount to be paid at the time of Registration Rs. 50 against the earnest money of Rs. 250. Balance earnest money of Rs. 200 payable on demand.

(b) Amount to be paid at the time of allotment at the rate of 10% of the cost.

(c) Amount to be paid after six months of allotment at the rate of 5%.

(d) Balance to be recovered in 15 years in monthly instalments with interest as fixed by the Government for the purpose from time to time.

(6) *Payment of cost of plot under L.I.G. scheme*

(a) Earnest money payable at the time of registration Rs. 150 against the total of Rs. 1000. The balance earnest money of Rs. 850 payable on demand.

(b) Amount to be paid at the time of allotment at the rate of 20%.

(c) Six months after allotment at the rate of 10%.

(d) Balance to be recovered in four years in monthly instalments with interest as fixed by the Government for the purpose from time to time.

(7) *Payment of cost of plot under M.I.G. Scheme*

(a) Amount payable at the time of registration Rs. 250 against the total earnest money of Rs. 1000. Balance earnest money of Rs. 750 payable on demand.

(b) Amount to be paid at the time of allotment . . 20%.

(c) Six months after allotment. . . . 10%.

(d) Balance to be recovered in four years in monthly instalments with interest at the rates fixed by the Government for the purpose from time to time.

(8) *Payment of cost of plot under H.I.G. Scheme*

(a) Amount to be paid at the time of registration Rs. 1000 against earnest money of Rs. 2000. Balance earnest money payable on demand.

(b) Amount to be paid at the time of allotment . . 30%.

(c) Six months after allotment 20%.

(d) Balance to be recovered in four years in monthly instalments with interest at the rates fixed by the Government for the purpose from time to time.

(9) *Commercial and Industrial Scheme: (For plots by auction):*

(a) Earnest money for bid Rs. 2000.

(b) At the time of acceptance of bid at the time of fall of hammer—25% of the total cost of the plot (i.e. bid price).

(c) Balance to be recovered within 30 days of allotment without interest and within 90 days of allotment with interest at the rates fixed by the Government for the purpose from time to time.

(4) Every applicant shall deposit in the Office of the Board the earnest money and shall enclose with his application the receipt obtained in token of such deposit. The earnest money shall be refunded to the applicant at any time without interest if he requests in writing for the refund.

(5) Where the houses/plots are reserved for any class of persons, the procedure to be followed for allotment of such houses/plots to the eligible persons will be such as the Board may determine from time to time in respect of particular scheme.

(6) The houses/plots under the Economically Weaker Section Scheme will be allotted to a person who is a *bona fide* Himachali and resident of and working within the limits of the local authority where the house/plot is located, provided he does not own any house/plot in his own name or in the name of his dependents within the limits of the local authority.

(7) The houses/plots under various schemes will be allotted to the eligible persons registered with the H.P. Housing Board or their dependents including the employees of any Board, Corporation or Body Corporate.

(8) Those persons who are allotted plots under any scheme for industrial or commercial purposes, will be eligible for allotment of residential plots/houses in the

same area township irrespective of the fact whether they own house in Himachal Pradesh or not,

(9) The following reservation of houses/plots will be made under each Housing Scheme.

(a) Five per cent of the houses/plots will be reserved for allotment to the eligible persons belonging to the Scheduled Castes or Scheduled Tribes within their own income group.

(b) Ten per cent of the house/plots will be reserved for allotment to the Defence Personnel within their own income group as under:—

(i) widows or other dependents of Defence Personnel who have been killed in action,

(ii) disabled service personnel who have invalided out of service,

(iii) ex-service personnel, and

(iv) Serving personnel.

(c) 25% of the houses/plots will be reserved for Government servants at all the places which will include the Central Government employees and other State Government employees. Preference will however be given to the H.P. State Government Employees including employees of any of the Boards Corporation or Body Corporate. In case no Government servants are available the allotments will be open to the general public. Reservation is subject to the condition that an employee does not own a house at the place of construction.

(d) 25% of the houses/plots will be reserved for the allotment to the person belonging to the Economically Weaker Section.

(10) As a general rule, allotment of houses/plots will be done by drawing of lots amongst the applicants except in commercial/industrial areas where allotment of plots will be made by open auction.

(11) If it is found that the number of applications received is less than the number of houses/plots available for allotment, the houses/plots may be allotted even to those persons who are otherwise not eligible for allotment.

6. *Applications for houses/plots.*—(1) Any person desiring to purchase a house/plot by way of sale or otherwise may in pursuance of the notice published under regulation 5, make an application to the Board in the prescribed form. The application shall be accompanied by a statement regarding eligibility, names of persons who will be staying with him, the total income for the applicant per month and the present address where the applicant and the members of his family are living in the State of Himachal Pradesh.

(2) No application shall be accepted by the Board unless it is received on or before the date specified in the notice or the date extended from time to time and the applicant furnishing the statements referred to in sub-regulation (1) and pays the earnest money and makes the initial payment as provided in the notice published under regulation 5. The applicant shall not be entitled to any interest on the amount of earnest money of initial payment.

(3) Separate applications will be submitted by the applicants for the allotment of houses and plots.

(4) The Board shall have the right to reject any application for the allotment of house/plot without assigning any reason.

7. *Register of applications.*—On acceptance of an application under regulation 6, the board shall enter each application in the register maintained for the purpose, in the order in which each application is accepted.

8. *Drawing of lots for purpose of allotment.*—(1) An application together with its accompaniments and the register in which such applications are entered shall, as soon as possible after the last date for receipt of applications, be forwarded to the Estate Manager.

(2) If the number of applications is more than the number of houses/plots to be allotted, the Estate Manager shall, in the presence of the members of the Allotment Committee, proceed to draw lots in such a manner that each allottee should simultaneously get that particular house/plot for which a lot has been drawn. The number of lots to be drawn will be 25% more of the number of houses/plots for the allotment of which such applications have been invited for keeping some names on the waiting list.

(3) After the lots are so drawn, the Estate Manager shall prepare a list of successful applicants in serial number in which the lots are drawn in their favour and he shall also prepare a list of applicants whose names appeared in the lots so drawn.

(4) If the number of applications is less than the number of houses/plots available for allotment, the Estate Manager may allot the houses/plots to all such applicants if eligible, for the allotment of remaining houses/plots fresh applications will thereafter be invited in accordance with the provisions of these Regulations.

9. *Allotment after drawing of lots.*—(1) Subject to the provisions of these Regulations the Estate Manager shall examine the applications together with their accompaniments of successful applicants and shall unless there are reasons to act otherwise (such reasons being recorded in writing), allot houses/plots to applicants in the order in which their names are entered in the list of successful applicants and the applicants has complied with the terms and conditions specified for the allotment of houses/plots under the Housing Schemes and provision of the Regulations.

(2) The decision of the Estate Manager in allotting houses/plots shall, subject to an appeal to the Chairman, the final and binding on the applicants.

10. *Power of Board to allot.*—Notwithstanding anything contained in these Regulations, the Board may of its own or in accordance with directions of the State Government allot any houses/plots to any person(s) provided such person(s) agrees in writing to abide by the terms and conditions of allotment under the provisions of these Regulations.

11. *Allotment letter, condition of allotment etc.*—(1) After the allotment of houses/plots is finalised the Estate Manager shall issue an allotment letter informing the allottee it is proposed to allot him the house/plot on the terms and conditions specified in the order and asking him to call at the concerned Office of the Board and take delivery of the authority letter and to take over possession of the house/plot within the period specified in the allotment letter.

(2) On receipt of an allotment letter, the allottee may, within the period specified in the letter, accept the allot-

ment of a house/plot and shall execute an agreement as required by the Board within a period of one month from taking possession and shall comply with the terms and conditions of such agreement.

(3) Notwithstanding anything contained in the notice inviting application, if after receipt of final bills for the construction of houses/development of plot, or on payment of interest on the amount of loans taken for the construction of such houses or for the development of such plots or for expenditure incurred for supervision. The Board considers it necessary to revise the price already specified in the notice, it may do so and determine the final price payable on allotment and all the allottees in relation to the house/plots aforesaid shall be bound by such determination and they shall pay difference, if any, between the final price so determined and the price paid by them:

Provided that the price of any house/plot shall not be changed to the disadvantage of an allottee after the execution of the agreement.

(4) After the allotment of house/plots is finally accepted, the Estate Manager shall prepare an allotment register and enter therein the names of allottees according to the number of the houses/plots allotted to them.

12. *General liability of allottees.*—(1) Every allottee shall regularly pay to the Board the instalments due from him in respect of the purchase price of the house/plot allotted sold to him. He shall also pay municipal taxes, water and electricity charges ground rent; his share of common services (e.g.) common lights, (Sweeper, Watchman and the like) and other public charges, due in respect of the land and the house occupied by him to the authorities to whom such taxes and charges are due.

(2) The allottee or hirer under the hire-purchase system shall sold the house/plot as a tenant for the hire-purchase period and shall regularly pay the monthly instalment for every calendar month till the hire-purchase period:

Provided that on receipt of an application from the allottee, the Board may permit the payment of the hire-purchase price outstanding to the date of such application together with interest or other dues, if any, to be made in lump sum and no interest shall be charged from the date of such payment.

(3) The allottee shall make full and regular payment of all the dues that are required to be made by him in pursuance to an agreement or the Regulations. If any such payment is delayed he shall be liable to payment at the rate of six per cent per month. In case of defaults of more than three months the allotment will be liable to be cancelled and the allottee evicted from the premises. All the outstanding dues of the owner (Board) shall be recoverable as arrears of land revenue:

Provided that in case of eviction on cancellation of allotment the amount already deposited by the allottee shall be utilised for recovering all dues whatsoever, of the owner (Board) as the first charge and all the dues of the public bodies as the second charge and only the remainder shall be refunded to the allottee on his demand.

(4) On the payment of the first instalment and such other dues as have been demanded by the Board, the

allottee shall execute an agreement as may be prescribed by the Board.

(5) Notwithstanding that the right, title and interest of the Board in the house/plot have not been transferred to the allottee, he shall be bound to keep the house/plot in as good condition as it was the time when he was first in possession thereof, subject only changes caused by reasonable wear and tear or irresistible force, and shall be responsible to cause by reasonable wear and tear or irresistible force, and shall be responsible to maintain and keep in good and tenable repair the house and all the land appurtenant thereto or the plot, as the case may be. On the failure of the allottee to do so, the Board shall maintain and keep in good and tenable repair the house/plot aforesaid and the expenses so incurred shall be recovered from the allottee.

(6) Every allottee shall so long as the house/plot belongs to the Board and is not transferred to him, allow an Officer duly authorised by the Board at all reasonable time to enter upon the house/plot allotted to him and inspect the condition thereof and give or leave notice of any defect in such condition and when such defect has been caused by any act or default on the part of the allottee shall be bound to make it good within one month after such notice has been left or given.

Explanation.—Reasonable time shall mean any time between sun rise and sun-set.

(7) The allottee may use the house/plot allotted to him as a person of ordinary prudence but shall not use nor permit any other person to use the house/plot for a purpose other than that for which it is allotted to him, and he shall not damage the house/plots or commit any other act which is destructive or injurious so long as the house/plot belongs to the Board and is not permanently transferred to him.

13. *Consequence on failure of allotment to take possession.*—(a) 'At the time of receipt of the applications, the intending purchaser, i.e. the applicant will be required to pay an initial deposit as prescribed from time to time. This initial deposit will be adjustable towards the earnest money on demand. Every applicant will be informed at least 15 days in advance in writing Under Certificate of Posting and also through general press advertisement of the date on which lots are to be drawn or the date on which the allotments are to be decided upon for demand of full earnest money and those desirous of withdrawing their applications, should do so at least a week before the date of draw of lots or the date of allotment, failing which in case they are allotted a plot or a house and they wish to withdraw from the scheme, their token earnest money or initial deposit will stand forfeited.

In future those who withdraw their earnest money, even if the applicant is not successful at the draw of lots, refund cannot be allowed to the full extent. To cover Board's administrative expenditure, the following amounts against the initial deposit should be deducted:—

Under E.W.S. Scheme	Rs. 10/-
Under L.I.G. Scheme	Rs. 20/-
Under M.I.G. Scheme	Rs. 25/-
Under H.I.G. Scheme	Rs. 50/-

(b) When an applicant is allotted a house/plot under these Regulations but he fails to take possession of the

same within the period specified in the allotment order issued to him, his name shall be removed from the allotment Register and 50 per cent of the earnest money/deposit paid by him shall be forfeited to the Board and the balance refunded to him without any interest.

The following will be the amounts of refund of earnest money at different stages on written demand for refund:—

Stage	Money Recoverable
1. After receipt of initial deposit or part earnest money.	Only Admn. Charges.
2. Before the consent of the applicant is obtained for inclusion of his name in the draw of lots.	Only Admn. Charges.
3. After receipt of consent from the applicant, but before the draw of lots.	50% of the initial deposit.
4. After draw of lots but before the actual issue of firm letter of allotment.	100 % of the initial deposit.
5. After issue of firm letter of allotment and demand of balance earnest money.	100 % of initial deposit.
6. After receipt of full earnest money.	50 % of the total earnest money.
7. After final letter of allotment for taking possession.	50 % of the total earnest money.

Provided that the Board may at its discretion either reduce or waive off altogether the condition of forfeiture of 50 per cent of the earnest money/deposit.

14. *Use and maintenance of house/plot.*—(1) No allottee shall have more than one cooking arrangement in the house.

(2) No allottee shall use the house/plot for a purpose other than that for which it is allotted.

(3) No allottee shall sublet the whole or any part of the house/plot without obtaining in advance the written permission of the Board.

(4) The allottee shall keep a receptacle within house for collection of refuse, waste papers, sweepings, kitchen and food wastes, scrupie articles and the like, and every person shall put such waste matter in such receptacle and nowhere else.

(5) The contents of such receptacle shall be removed every day without spilling the same on the way to the place reserved for the purpose.

(6) Sanitary facilities like bath-room and latrine shall be used in such a way as not to cause coking of any outlet by rags, waste paper, sweeping and the like.

(7) No refuse or dustbin shall be kept outside the house in the corridor or passages.

(8) Open space or common portion shall not be used as urinals.

(9) No part of the house of the common portions and of the street shall be littered with any waste matter and the entire surrounding shall be kept in clean, neat and tidy condition.

(10) No portion of the house shall be used for keeping or storing or dumping any dangerous combustible or obnoxious articles.

(11) No animal or poultry shall be kept in any part of the House.

(12) No water pipe or its fittings shall be affected, no electric line and its fixture shall be tampered with, no drainage or its specials shall be damaged and no installation of any kind whatsoever shall be tempered with.

(13) No misuse of the property shall be made or permitted to be made, such as occupying corridors, common passages, staircase, staircase landing, approaches and the like.

(14) Every person bringing a vehicle in the premises shall see that no obstruction to the free movement of the residents is caused.

(15) Non-observance of any of these stipulation shall be a breach of the terms and conditions of the agreement and the Board shall take action for such breach against the allottee in accordance with powers vested in it under the Act, Rules and Regulations made thereunder and the agreements executed under them.

15. *Payment of documental charges.*—All documental charges shall be borne by the allottee.

16. *Decision of the Board to be final in disputes.*—

(1) If in or in connection with the exercise of its powers and discharge of its functions by the Board any dispute arises between the Board and the allottee the decision of the Board on such disputes shall be final.

(2) The Board may delegate all or any of its powers under these Regulations to any of its member or officers.

17. *Savings.*—Save as otherwise expressly provided by these Regulations and any documents of its agreements executed by an allottee with the Board so long as the house/plot belongs to the Board and is leased to the allottee no house/plot shall be transferred by sale or exchange by any allottee except with the previous permission in writing by the Board on such terms and conditions as are agreed to between the Board and the transferee and the transferee has complied with the same to the satisfaction of the Board, and the transferee shall than be deemed to be an allottee for the purpose of such Regulation:

Provided that the transferee allottee shall be liable to the Board in respect of all the unpaid instalments and all other amounts due, if any, in respect of the house/plot so transferred together with the interest due thereon.

Sd/-
Secretary-cum-Chief Engineer,
H. P. Housing Board, Simla-2.

THE BAR COUNCIL OF HIMACHAL PRADESH

NOTIFICATION

Simla, the 8th July, 1977

No. BCHP/29-71/239/1977.—It is hereby notified for general information that Shri M. G. Chitkara, having been appointed Advocate General of Himachal Pradesh with effect from 7-7-1977 (A. N.) has ex-officio become the Chairman of the Bar Council of Himachal Pradesh, under clause (d) of sub-section (3) of section 3 of the Advocates Act, 1961 (Act 25 of 1961).

BHIM SEN,
Hony. Secretary.

भाग 6—भास्तीय राजपत्र इत्यादि में से पुनः प्रकाशन

LAW DEPARTMENT

NOTIFICATION

Simla-2, the 15th February, 1977

No. LLR-E (9) 17/77.—The following Ordinances promulgated by the President of India and published in the Gazette of India, Extraordinary, Part II, Section 1, are hereby republished in the Himachal Pradesh Government Rajpatra for the information of general public—:

1. The Petroleum Pipelines (Acquisition of Right of User in Land) Amendment Ordinance, 1977 (No. 2 of 1977).
2. The Presidential and Vice-Presidential Elections (Amendment) Ordinance, 1977 (No. 3 of 1977).
3. The Disputed Elections (Prime Minister and Speaker) Ordinance, 1977 (No. 4 of 1977).

M. C. PADAM,
Under Secretary (Judicial).

THE PETROLEUM PIPELINES (ACQUISITION OF RIGHT OF USER IN LAND) AMENDMENT ORDINANCE, 1977

(No. 2 of 1977)

Promulgated by the President in the Twenty-eighth Year of the Republic of India.

An Ordinance to amend the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962.

WHEREAS the House of the People has been dissolved and the Council of States is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 123 of the Constitution, the

President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Petroleum Pipelines (Acquisition of Right of User in Land) Amendment Ordinance, 1977.

(2) It shall come into force at once.

2. *Amendment of long title.*—In the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the principal Act), in the long title, for the words “for laying petroleum pipelines”, the words “for laying pipelines for the transport of petroleum and minerals” shall be substituted.

3. *Amendment of section 1.*—In section 1 of the principal Act, in sub-section (1), for the words “Petroleum Pipelines”, the words “Petroleum and Minerals Pipelines” shall be substituted.

4. *Amendment of section 2.*—In section 2 of the principal Act,—

(i) in clause (a), the following words shall be inserted at the end, namely:—

“and different persons or authorities may be authorised to perform all or any of the functions of the competent authority under this Act in the same area or different areas specified in the notification”;

(ii) after clause (b), the following clause shall be inserted, namely:—

“(ba) “minerals” have the meanings assigned to them in the Mines Act, 1952 (35 of 1952), and include mineral oils and stowing sand but do not include petroleum”.

5. *Amendment of section 3.*—In section 3 of the principal Act, in sub-section (1), after the words “transport of petroleum”, the words “or any mineral” shall be inserted.

6. *Amendment of section 4.*—In section 4 of the principal Act, after the words “for transporting petroleum”, the words “or any mineral” shall be inserted.

7. *Amendment of section 6.*—In section 6 of the principal Act,—

(i) in sub-section (1),—

(a) for the words “submit a report accordingly to the Central Government”, the words “either make a report in respect of the land described in the notification under sub-section (1) of section 3, or make different reports in respect of different parcels of such land, to the Central Government containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government”, shall be substituted;

(b) after the words “the Central Government shall”, the words, “if satisfied that such land is required for laying any pipeline for the transport of petroleum or any mineral,” shall be inserted;

(c) the words “and different declarations may be made from time to time in respect of different parcels of the land described in of the notification issued under sub-section (1) of section 3, irrespective whether one report or

different reports have been made by the competent authority under this section” shall be inserted at the end;

(ii) in sub-section (2), for the words “in the land”, the words “in the land specified therein” shall be substituted;

(iii) in sub-section (3), for the words “no declaration under this section has been published”, the words “no declaration in respect of any parcel of land covered by that notification has been published under this section” shall be substituted;

(iv) after sub-section (3), the following sub-section shall be inserted, namely:—

“(3A) No declaration in respect of any land covered by a notification issued under sub-section (1) of section 3, published after the commencement of the Petroleum Pipelines (Acquisition of Right of User in Land) Amendment Ordinance, 1977, shall be made after the expiry of three years from the date of such publication.”.

8. *Amendment of section 7.*—In section 7 of the principal Act, in sub-section (1),—

(i) in clause (i), the word “and” at the end shall be omitted;

(ii) after clause (i), the following clause shall be inserted namely:—

“(ia) for laying pipelines for the transport of petroleum, it shall be lawful for any person authorised by the Central Government or such State Government or Corporation to use such land for laying pipelines for transporting any mineral and where the right of user in any land has so vested for laying pipelines for transporting any mineral, it shall be lawful for such person to use such land for laying pipelines for transporting petroleum or any other mineral; and”.

9. *Amendment of section 9.*—In section 9 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) Where the owner or occupier of the land with respect to which a declaration has been made under sub-section (1) of section 6,—

(a) constructs any building or any other structure, or

(b) constructs or excavates any well, tank, reservoir or dam, or

(c) plants any tree,

on that land, the Court of the District Judge within the local limits of whose jurisdiction such land is situate may, on an application made to it by the competent authority and after holding such inquiry as it may deem fit, cause the building, structure, reservoir, dam or tree to be removed or the well or tank to be filled up, and the costs of such removal or filling up shall be recoverable from such owner or occupier in the same manner as if the order for the recovery of such costs were a decree made by that Court.”.

10. *Amendment of section 17.*—In section 17 of the principal Act,—

(i) in sub-section (1), for the word “purposes”, the word “provisions” shall be substituted;

- (ii) in sub-section (3), for the words "before the expiry of the session in which it is so laid or the successive sessions aforesaid", the words "before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.

FAKHRUDDINALI AHMED,
President.

K. K. SUNDARAM,
Secretary to the Government of India.

CORRIGENDUM

In the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976 (108 of 1976) as published in the Gazette of India, Extraordinary, Part II, Section I, dated the 29th September, 1976,—

at page 1392, in Part IX, at serial No. 28, for "Koli, Dhor" read "Koli Dhor".

THE PRESIDENTIAL AND VICE-PRESIDENTIAL ELECTIONS (AMENDMENT) ORDINANCE, 1977 (No. 3 of 1977)

Promulgated by the President in the Twenty-eighth Year of the Republic of India.

An Ordinance further to amend the Presidential and Vice-Presidential Elections Act, 1952.

WHEREAS the House of the People has been dissolved and the Council of States is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Presidential and Vice-Presidential Elections (Amendment) Ordinance, 1977.

(2) It shall come into force at once.

2. *Act 31 of 1952 to be temporarily amended.*—During the period of operation of this Ordinance, the Presidential and Vice-Presidential Elections Act, 1952 (hereinafter referred to as the principal Act) shall have effect subject to the amendments specified in sections 3 and 4.

3. *Substitution of new Part for Part III.*—In the principal Act, for Part III, the following Part shall be substituted, namely:—

'PART III

CHAPTER I

PRELIMINARY

13. *Definitions.*—In this Part, unless the context otherwise requires,—

- (a) "candidate" means a person who has been or claims to have been duly nominated as a candidate at an election;
- (b) "costs" means all costs, charges and expenses of,

or incidental to, a trial of a petition under this Part;

- (c) "Council" means a Council convened under section 15 for the trial of a petition;
- (d) "petition" means a petition calling in question an election;
- (e) "returned candidate" means a candidate whose name has been published under section 12 as duly elected.

CHAPTER II

COUNCILS FOR DISPUTED ELECTIONS

14. *Petitions in respect of disputed elections.*—No election shall be called in question except by a petition presented in accordance with the provisions of this Part.

15. *Authority to try a petition.*—(1) Every petition shall be tried by a Council convened for the purpose by notification in the Official Gazette by the Election Commission.

(2) The Council shall consist of the following members, namely:—

- (a) three members nominated by the Speaker of whom one shall be the Chief Justice, or a retired Chief Justice, of the Supreme Court of India and another a person who, in the opinion of the Speaker, has knowledge of election laws;
- (b) three members elected by the members of the House of the People from amongst themselves; and
- (c) three members elected by the members of the Council of States from amongst themselves.

(3) The Chairman and the Vice-Chairman of the Council shall be appointed by the Speaker from amongst the members thereof.

(4) The Chairman, Vice-Chairman and other members of a Council shall hold office as such until the disposal by the Council of the petition for the trial of which it has been convened:

Provided that—

- (a) the Chairman, Vice-Chairman or any other member may by writing under his hand addressed to the President resign his office;
- (b) a member elected by a House of Parliament shall cease to hold office as such upon his ceasing to be a member of that House.

(5) Any casual vacancy in the office of the Chairman or Vice-Chairman or any other member of the Council shall be filled in accordance with the provisions of sub-section (2).

(6) The conditions of service of the Chairman, Vice-Chairman and other members of a Council shall be such as may be prescribed.

16. *Council, to exercise functions notwithstanding vacancies.*—If, during the course of the trial of a petition, any member of the Council trying the petition is absent or is for any reason unable to perform his functions or has relinquished his membership or has died, the remaining members of the Council may continue the trial of the petition:

Provided that the total number of members of the Council holding the trial is not less than five.

17. *Fresh trial not necessary upon filling up of a casual vacancy in the Council.*—When any person nominated, or, as the case may be, elected to fill a casual vacancy in a Council trying a petition joins the Council, the trial

of the petition shall be continued thereafter as if the member so nominated or elected had been a member of the Council from the commencement of the trial of such petition:

Provided that the Council may, if it thinks fit, recall and re-examine any of the witnesses already examined.

18. Acts or proceedings of a Council not to be invalidated.—No act, proceeding, order or decision of a Council shall be invalidated merely by reason of any irregularity in the procedure of the Council not affecting the merits of the case.

CHAPTER III

PRESENTATION OF PETITIONS IN RESPECT OF DISPUTED ELECTIONS

19. Presentation of petition.—(1) A petition calling in question any election may be presented on one or more of the grounds specified in sub-section (1) of section 32 to the Election Commission by any candidate at such election, or—

- (i) in the case of a Presidential election, by twenty or more electors joined together as petitioners;
- (ii) in the case of a Vice-Presidential election, by ten or more electors joined together as petitioners.

Explanation.—In this sub-section, "elector" means a person who was entitled to vote at the election to which the petition relates, whether he has voted at such election or not.

(2) Any such petition may be presented at any time after the date of publication of the declaration containing the name of the returned candidate at the election under section 12 but not later than thirty days from the date of such publication.

(3) A petition shall be deemed to have been presented to the Election Commission when it is delivered to the Election Commission or to such other officer as may be appointed by it in this behalf—

- (i) by the person making the petition, or
- (ii) by a person authorised in writing in this behalf by the person making the petition.

(4) Every petition shall be accompanied by as many copies thereof as there are respondents mentioned in the petition and one more copy for the use of the Election Commission, and every such copy shall be attested by the petitioner under his own signature to be a true copy of the petition.

(5) At the time of presenting a petition the petitioner shall deposit with the Election Commission in such manner as may be prescribed a sum of two thousand rupees as security for costs.

(6) The Council trying a petition may at any time during the course of the trial of the petition call upon the petitioner to give such further security for costs as it may direct.

(7) No person shall be entitled to be joined as a respondent to a petition under sub-section (3) of section 24 unless he has given such security for costs as the Council may direct.

20. Parties to the petition.—A petitioner shall join as respondent to his petition the returned candidate.

21. Contents of petition.—(1) A petition—

- (a) shall contain a concise statement of the material facts on which the petitioner relies;

- (b) where the petitioner alleges that the corrupt practice of bribery or undue influence at the election has been committed by the returned candidate or by any person with the consent of the returned candidate, shall set forth full particulars thereof, including as full a statement as possible, of the names of the parties alleged to have committed such corrupt practice and the date and place of commission thereof; and
- (c) shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 (5 of 1908), for the verification of pleadings:

Provided that where the petitioner makes any allegation that the corrupt practice of bribery or undue influence at the election has been committed as aforesaid, the petition shall also be accompanied by an affidavit in the prescribed form in support of the allegation of such corrupt practice and the particulars thereof.

(2) Any schedule or annexure to the petition shall also be signed by the petitioner and verified in the same manner as the petition.

22. Relief that may be claimed by the petitioner.—A petitioner may claim a declaration that the election of the returned candidate is void.

23. Procedure on receiving petitions.—(1) The Election Commission shall, as soon as may be, after the receipt of a petition under section 19, take such steps as may be prescribed for convening a Council for trying the petition.

(2) Where more petitions than one have been received under section 19 in respect of the same election, a single Council shall be convened for the trial of such petitions and such Council may in its discretion try them separately or in one or more groups.

CHAPTER IV

TRIAL OF PETITIONS

24. Trial of petitions.—(1) Subject to any rules made in this behalf, the Council for the trial of any petition shall hold the trial at New Delhi,—

(2) The Council shall dismiss the petition,—

- (a) if the petition has not been presented within the period specified in sub-section (2) of section 19;
- (b) if the petition does not comply with the provisions of sub-section (4) or sub-section (5) of section 19 or section 20.

Explanation.—An order dismissing a petition under this sub-section shall be deemed to be an order made under clause (a) of section 30.

(3) Any candidate not already a respondent to a petition shall upon application made by him to the Council within fourteen days from the date of commencement of the trial and subject to any order as to security for costs which may be made by the Council be entitled to be joined as a respondent.

Explanation.—For the purposes of this sub-section, the trial of a petition shall be deemed to commence on the date fixed for the respondents to appear before the Council and answer the claim or claims made in the petition.

(4) The trial of a petition shall, so far as is practicable consistently with the interests of justice in respect of the trial, be continued from day to day until its conclusion, unless the Council finds the adjournment of the trial beyond the following day to be necessary for reasons to be recorded.

(5) Every petition shall be tried as expeditiously as possible and endeavour shall be made to conclude the trial within six months from the date of commencement of the trial.

25. *Procedure.*—(1) The Chairman of the Council or in his absence the Vice-Chairman of the Council shall preside at the sittings of the Council.

(2) Subject to the provisions of this Part and of any rules made under this Act, the Council shall regulate its own procedure for the trial of a petition.

26. *Evidence.*—(1) Subject to the provisions of this section, for the purposes of trial of a petition the Council may require any person who in its opinion is able to furnish information or produce documents relevant to the trial to furnish any such information or produce any such document.

(2) For the purpose of any such trial, the Council shall have all the powers of a Civil Court while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908), in respect of the following matters, namely:—

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of any document;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public record or copy thereof from any court or office;
- (e) issuing commissions for the examination of witnesses or documents;
- (f) such other matters as may be prescribed.

(3) Any proceeding before the Council shall be deemed to be a judicial proceeding within the meaning of section 193 of the Indian Penal Code (45 of 1860).

27. *Secrecy of voting not to be infringed.*—No witness or other person shall be required to state for whom he has voted at an election.

28. *Answering of criminating questions and certificate of indemnity.*—(1) No witness shall be excused from answering any question as to any matter relevant to a matter in issue in the trial of a petition upon the ground that the answer to such question may criminate or may tend to criminate him, or that it may expose or may tend to expose him to any penalty or forfeiture:

Provided that—

- (a) a witness, who answers truly all questions which he is required to answer shall be entitled to receive a certificate of indemnity from the Council; and
- (b) an answer given by a witness to a question put by or before the Council shall not, except in the case of any criminal proceeding for perjury in respect of the evidence, be admissible in evidence against him in any civil or criminal proceeding.

(2) When a certificate of indemnity has been granted to any witness, it may be pleaded by him in any court and shall be a full and complete defence to or upon any charge under Chapter IXA of the Indian Penal Code (45 of 1860), of the matter to which such certificate relates arising out

29. *Expenses of witnesses.*—The reasonable expenses incurred by any person in attending to give evidence before the Council may be allowed by it to such person, and shall, unless the Council otherwise directs, be deemed to be part of the costs.

30. *Decision of the Council.*—At the conclusion of the trial of a petition the Council shall make an order—

- (a) dismissing the petition; or

- (b) declaring the election of the returned candidate to be void.

31. *Order as to costs.*—At the time of making an order under section 30, the Council shall also make an order fixing the total amount of costs payable and specifying the persons by and to whom costs shall be paid.

32. *Grounds for declaring the election of a returned candidate to be void.*—(1) If the Council is of opinion,—

- (a) that the corrupt practice of bribery or undue influence at the election has been committed by the returned candidate or by any person with the consent of the returned candidate; or
- (b) that the result of the election has been materially affected—
 - (i) by the improper reception or refusal of a vote; or
 - (ii) by any non-compliance with the provisions of the Constitution or of this Act or of any rules or orders made under this Act; or
 - (iii) by reason of the fact that the nomination of any candidate (other than the successful candidate), who has not withdrawn his candidature, has been wrongly accepted; or

- (c) that the nomination of any candidate has been wrongly rejected or the nomination of the successful candidate has been wrongly accepted.

the Council shall declare the election of the returned candidate to be void.

(2) For the purposes of this section, the corrupt practice of bribery and undue influence at an election shall have the same meanings as in the Representation of the People Act, 1951 (3 of 1951).

33. *Decision of Council to be in accordance with the view of majority.*—If during the trial of a petition there is a difference of opinion among the members of the Council on any matter or if at the conclusion of the trial there is a difference of opinion among them regarding the orders to be made under section 30, or section 31, the opinion of the majority shall prevail and the orders of the Council shall be expressed in terms of the views of the majority:

Provided that where the members are equally divided on any matter or with regard to any order to be made, the matter shall be decided or, as the case may be, the order shall be made, in accordance with the views of the members who concur with the Chairman.

34. *Transmission of orders to the Central Government and its publication.*—The Council shall, after making its order under section 30, send a copy of that order to the Central Government, and on receipt of such copy the Central Government shall forthwith cause the order to be published in the Official Gazette.

35. *Costs.*—Costs shall be in the discretion of the Council:

Provided that where a petition is dismissed, under clause (a) of section 30, the returned candidate shall be entitled to the costs incurred by him in contesting the petition and accordingly the Council shall make an order for costs in favour of the returned candidate.

36. *Orders of Council to be final.*—No order made by a Council under this Part shall be called in question in any court.

37. *Effect of orders of Council.*—An order made by a Council under this Part shall take effect as soon as it is pronounced by the Council.

38. *Withdrawal and abatement of petitions.*—The provisions of section 109 to 116 (both inclusive) of the Representation of the People Act, 1951, (43 of 1951) relating to withdrawal and abatement of election petitions shall, so far as may be, apply in relation to withdrawal and abatement of petitions under this Part subject to the modifications that the references therein to an election petition, High Court and petitioner shall be construed as references to a petition under this Part, the Council for hearing such petition and the petitioner in respect of such petition, respectively.

39. *Payment of costs out of security deposits and return of such deposits.*—(1) If in any order as to costs under the provisions of this Part, there is a direction for payment of costs by any party to any person, such costs shall, if they have not been already paid, be paid in full or so far as possible, out of the security deposit and the further security deposit, if any, made by such party under this Part on an application made in writing in that behalf within a period of one year, from the date of such order to the Election Commission by the person in whose favour the costs have been awarded.

(2) If there is any balance left of any of the said security deposits after payment under sub-section (1) of the costs referred to in that sub-section, such balance, or where no costs have been awarded or no application as aforesaid has been made within the said period of one year, the whole of the said security deposits may, on an application made in that behalf in writing to the Election Commission by the person by whom the deposits have been made, or if such person dies after making such deposits, by the legal representative of such person, be returned to the said person or to his legal representative, as the case may be.

40. *Execution of orders as to costs.*—Any order as to costs under the provisions of this Part may be produced before the principal civil court of original jurisdiction within the local limits of whose jurisdiction any person directed by such order to pay any sum of money has a place of residence or business, or where such place is within a Presidency town, before the court of small causes having jurisdiction there, and such court shall execute the order or cause the same to be executed in the same manner and by the same procedure as if it were a decree for the payment of money made by itself in a suit:

Provided that where any such costs or any portion thereof may be recovered by an application made under sub-section (1) of section 39, no application shall lie under this section within a period of one year from the date of such order unless it is for the recovery of the balance of any costs which has been left unrealised after an application has been made under that sub-section owing to the insufficiency of the amount of the security deposits referred to in that sub-section.

4. *Amendment of Part IV.*—In Part IV of the principal Act—

- (i) section 20A shall be renumbered as section 41;
- (ii) section 21 shall be renumbered as section 42 and in section 42 as so renumbered, in sub-section (2), for clause (j) the following clauses shall be substituted, namely:—
 - “(j) the steps to be taken for convening a Council and for filling of casual vacancies in a Council;
 - (k) the deposit or further deposit to be made by the petitioner as security for the costs;
 - (l) the procedure for the trial of a petition under this Act;
 - (m) the appointment of officers and other employees for assisting the Councils in the discharge of

- their functions and the conditions of service of such officers and other employees;
- (n) the custody of deposits made under Part III, the payment of costs out of such deposits on an application made under section 39 and other matters relating to the disposal of such applications;
- (o) the fees, if any, payable in respect of any petition or application under Part III;
- (p) any other matter which has to be prescribed by or provided for by rules made under this Act.”
- (iii) section 22 shall be renumbered as section 43;
- (iv) section 23 shall be renumbered as section 44, and in that section as so renumbered, the words and figures “Save as provided in Part III” shall be omitted.

FAKHRUDDIN ALI AHMED,
President.

K. K. SUNDARAM,
Secretary to the Government of India.

THE DISPUTED ELECTIONS (PRIME MINISTER AND SPEAKER) ORDINANCE, 1977

(No. 4 of 1977)

Promulgated by the President in the Twenty-eighth Year of the Republic of India.

An Ordinance to provide for authorities to deal with dispute elections to Parliament in the case of Prime Minister and Speaker of the House of the People and for matters connected therewith.

WHEREAS the House of the People has been dissolved and the Council of States is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action:

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

CHAPTER I

PRELIMINARY

1. *Short title and commencement.*—(1) This Ordinance may be called the Disputed Elections (Prime Minister and Speaker) Ordinance, 1977.

(2) It shall come into force at once.

2. *Definitions.*—In this Ordinance, unless the context otherwise requires,—

- (a) “candidate” means a person who has been or claims to have been duly nominated as a candidate at any election;
- (b) “costs” means all costs, charges and expenses of, or incidental to, a trial of a petition under this Ordinance;
- (c) “Council” means a Council convened under section 4 for the trial of a petition;
- (d) “election” means an election in the case of Prime Minister or in the case of Speaker;
- (e) “election in the case of Prime Minister” means an election to either House of Parliament of a

person who holds the office of Prime Minister at the time of such election or is appointed as Prime Minister after such election;

- (f) "election in the case of Speaker" means an election to the House of the People of a person who holds the office of Speaker at the time of such election or is chosen as the Speaker for that House after such election;
- (g) "petition" means a petition calling in question an election;
- (h) "prescribed" means prescribed by rules made under this Ordinance;
- (i) "returned candidate" means a candidate whose name has been published under section 67 of the Representation of the People Act, 1951, (43 of 1951) as duly elected at an election in the case of Prime Minister or, as the case may be, an election in the case of Speaker;
- (j) each of the expressions defined in the Representation of the People Act, 1951 (43 of 1951), but not defined in this Ordinance shall have the same meaning as in that Act.

CHAPTER II

COUNCILS FOR DISPUTED ELECTIONS

3. *Petitions in respect of disputed elections.*—No election shall be called in question except by a petition presented in accordance with the provisions of this Ordinance.

4. *Authority to try a petition.*—(1) Every petition shall be tried by a Council convened for the purpose by notification in the Official Gazette by the Election Commission.

(2) The Council shall consist of the following members, namely:—

- (a) three members nominated by the President of whom one shall be the Chief Justice, or a retired Chief Justice, of the Supreme Court of India and another a person who, in the opinion of the President has knowledge of election laws;
- (b) three members elected by the members of the House of the People from amongst themselves; and
- (c) three members elected by the members of the Council of States from amongst themselves.

(3) The Chairman and Vice-Chairman of the Council shall be appointed by the President from amongst the members thereof.]

(4) The Chairman, Vice-Chairman and other members of a Council shall hold office as such until the disposal by the Council of the petition for the trial of which it has been convened:

Provided that—

- (a) the Chairman, Vice-Chairman or any other member may by writing under his hand addressed to the President resign his office;
 - (b) a member elected by a House of Parliament shall cease to hold office as such upon his ceasing to be a member of that House.
- (5) Any casual vacancy in the office of the Chairman or the Vice-Chairman or any other member of the Council shall be filled in accordance with the provisions of sub-section (2).
- (6) The conditions of service of the Chairman, Vice-Chairman and other members of a Council shall be such as may be prescribed.

5. *Council to exercise functions not withstanding vacancies.*—If, during the course of the trial of a petition, any member of the Council trying the petition is absent or is for any reason unable to perform his functions or has relinquished his membership or has died, the remaining members of the Council may continue the trial of the petition:

Provided that the total number of members of the Council holding the trial is not less than five.

6. *Fresh trial not necessary upon filling up of a casual vacancy in the Council.*—When any person nominated or, as the case may be, elected to fill a casual vacancy in a Council trying a petition joins the Council, the trial of the petition shall be continued thereafter as if the member so nominated or elected had been a member of the Council from the commencement of the trial of such petition:

Provided that the Council may, if it thinks fit, recall and re-examine any of the witnesses already examined.

7. *Acts or proceedings of a Council not to be invalidated.*—No Act, proceeding, order or decision of a Council shall be invalidated merely by reason of any irregularity in the procedure of the Council not affecting the merits of the case.

CHAPTER III

PRESENTATION OF PETITIONS IN RESPECT OF DISPUTED ELECTIONS

8. *Presentation of petition.*—(1) A petition calling in question any election may be presented on one or more of the grounds specified in sub-section (1) of section 100 and section 101 of the Representation of the People Act, 1951 (43 of 1951) to the Election Commission by any candidate at such election or any elector within forty-five days from, but not earlier than, the date of election of returned candidate, or if there are more returned candidates than one at the election and the dates of their election are different, the last of those dates:

Provided that a petition calling in question the election of a person who does not hold the office of Prime Minister or, as the case may be, Speaker of the House of the People at the time of such election and who is appointed or chosen to that office after such election, may be presented within forty-five days from the date on which such person was appointed as the Prime Minister or chosen as the Speaker of the House of the People.

Explanation.—In this sub-section, "elector" means a person who was entitled to vote at the election to which the petition relates, whether he has voted at such election or not.

(2) A petition shall be deemed to have been presented to the Election Commission when it is delivered to the Election Commission or to such other officer as may be appointed by it in this behalf—

- (a) by the person making the petition, or
- (b) by a person authorised in writing in this behalf by the person making the petition.

(3) Every petition shall be accompanied by as many copies thereof as there are respondents mentioned in the petition and one more copy for the use of the Election Commission, and every such copy shall be attested by the petitioner under his own signature to be a true copy of the petition.

(4) At the time of presenting a petition, the petitioner shall deposit with the Election Commission in such manner as may be prescribed a sum of two thousand rupees as security for costs.

(5) The Council trying a petition may at any time during the course of the trial of the petition call upon the petitioner to give such further security for costs as it may direct.

(6) No person shall be entitled to be joined as a respondent to a petition under sub-section (3) of section 13 unless he has given such security for costs as the Council may direct.

9. *Parties to the petition.*—A petitioner shall join as respondents to his petition—

(a) Where the petitioner, in addition to claiming a declaration that the election of all or any of the returned candidates is void, claims a further declaration that he himself or any other candidate has been duly elected, all the contesting candidates other than the petitioner, and where no such further declaration is claimed, all the returned candidates; and

(b) any other candidate against whom allegations of any corrupt practice are made in the petition.

10. *Contents of petition.*—(1) A petition—

(a) shall contain a concise statement of the material facts on which the petitioner relies;

(b) shall set forth full particulars of any corrupt practice that the petitioner alleges, including as full a statement as possible of the names of the parties alleged to have committed such corrupt practice and the date and place of the commission of each such practice; and

(c) shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 (5 of 1908), for the verification of pleadings:

Provided that where the petitioner alleges any corrupt practice, the petition shall also be accompanied by an affidavit in the prescribed form in support of the allegation of such corrupt practice and the particulars thereof.

(2) Any schedule or annexure to the petition shall also be signed by the petitioner and verified in the same manner as the petition.

11. *Relief that may be claimed by the petitioner.*—A petitioner may, in addition to claiming a declaration that the election of all or any of the returned candidates is void, claim a further declaration that he himself or any other candidate has been duly elected.

12. *Procedure on receiving petitions.*—(1) The Election Commission shall as soon as may be after the receipt of a petition under section 8 take such steps as may be prescribed for convening a Council for trying the petition.

(2) Where more petitions than one have been received under section 8 in respect of the same election, a single Council shall be convened for the trial of such petitions and such Council may in its discretion try them separately or in one or more groups.

CHAPTER IV

TRIAL OF PETITIONS

13. *Trial of petitions.*—(1) Subject to any rules made in this behalf, the Council for the trial of any petition shall hold the trial at New Delhi.

(2) The Council shall dismiss the petition,

(a) if the petition has not been presented within the period specified in sub-section (1) of section 8;

(b) if the petition does not comply with the provisions of sub-section (3) or sub-section (4) of section 8 or section 9;

Explanation.—An order dismissing a petition under this sub-section shall be deemed to be an order made under clause (a) of section 20.

(3) Any candidate not already a respondent to a petition shall, upon application made by him to the Council within fourteen days from the date of commencement of the trial and subject to any order as to security for costs which may be made by the Council, be entitled to be joined as a respondent.

Explanation.—For the purposes of this sub-section and of section 19, the trial of a petition shall be deemed to commence on the date fixed for the respondents to appear before the Council and answer the claim or claims made in the petition.

(4) The Council may, upon such terms as to costs and otherwise as it may deem fit, allow the particulars of any corrupt practice alleged in the petition to be amended or amplified in such manner as may in its opinion be necessary for ensuring a fair and effective trial of the petition, but shall not allow any amendment of the petition which will have the effect of introducing particulars of a corrupt practice not previously alleged in the petition.

(5) The trial of a petition shall, so far as is practicable consistently with the interests of justice in respect of the trial, be continued from day to day until its conclusion, unless the Council finds the adjournment of the trial beyond the following day to be necessary for reasons to be recorded.

(6) Every petition shall be tried as expeditiously as possible and endeavour shall be made to conclude the trial within six months from the date of commencement of the trial.

14. *Procedure.*—(1) The Chairman of the Council or in his absence the Vice-Chairman of the Council shall preside at the sittings of the Council.

(2) Subject to the provisions of this Ordinance and of any rules made thereunder, the Council shall regulate its own procedure for the trial of a petition.

15. *Evidence etc.*—(1) Subject to the provisions of this section, for the purposes of trial of a petition the Council may require any person who in its opinion is able to furnish information or produce documents relevant to the trial to furnish any such information or produce any such document.

(2) For the purposes of any such trial, the Council shall have all the powers of a Civil Court while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908) in respect of the following matters, namely:—

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of any document;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public record or copy thereof from any court or office;
- (e) issuing commissions for the examination of witnesses or documents;
- (f) such other matters as may be prescribed.

(3) Any proceeding before the Council shall be deemed to be a judicial proceeding within the meaning of section 193 of the Indian Penal Code (45 of 1860).

16. *Secrecy of voting not to be infringed.*—No witness or other person shall be required to state for whom he has voted at an election.

17. *Answering of criminating questions and certificate of indemnity.*—(1) No witness shall be excused from answering any question as to any matter relevant to a matter in issue in the trial of a petition upon the ground that the answer to such question may criminate or may tend to criminate him, or that it may expose or may tend to expose him to any penalty or forfeiture.

Provided that—

(a) a witness, who answers truly all questions which he is required to answer shall be entitled to receive a certificate indemnity from the Council; and

(b) an answer given by a witness to a question put by or before the Council shall not, except in the case of any criminal proceeding for perjury in respect of the evidence, be admissible in evidence against him in any civil or criminal proceeding.

(2) When a certificate of indemnity has been granted to any witness, it may be pleaded by him in any court and shall be a full and complete defence to or upon any charge under Chapter IXA of the Indian Penal Code (45 of 1860) or Part VII of the Representation of the People Act, 1951 (43 of 1951), arising out of the matter to which such certificate relates, but it shall not be deemed to relieve him from any disqualification in connection with an election imposed by this Ordinance or any other law.

18. *Expenses of witnesses.*—The reasonable expenses incurred by any person in attending to give evidence before the Council may be allowed by it to such person, and shall, unless the Council otherwise directs, be deemed to be part of the costs.

19. *Recrimination when seat claimed.*—(1) When in a petition a declaration that any candidate other than the returned candidate has been duly elected is claimed, the returned candidate or any other party may give evidence to prove that the election of such candidate would have been void if he had been the returned candidate and a petition had been presented calling in question his election:

Provided that the returned candidate or such other party, as aforesaid shall not be entitled to give such evidence unless he has, within fourteen days from the date of commencement of the trial, given notice to the Council of his intention to do so and has also given the security and the further security referred to in sub-sections (4), (5) and (6) respectively of section 8.

(2) Every notice referred to in sub-section (1) shall be accompanied by the statement and particulars required by section 10 in the case of petition and shall be signed and verified in like manner.

20. *Decision of the Council.*—At the conclusion of the trial of a petition the Council shall make an order—

- (a) dismissing the petition; or
- (b) declaring the election of all or any of the returned candidates to be void; or
- (c) declaring the election of all or any of the returned candidates to be void and the petitioner or any other candidate to have been duly elected.

21. *Other orders to be made by the Council.*—(1) At the time of making an order under section 20, the Council shall also make an order—

- (a) where any charge is made in the petition of any corrupt practice having been committed at the election, recording—

(i) a finding whether any corrupt practice has or has not been proved to have been committed at the election, and the nature of that corrupt practice; and

(ii) the names of all persons, if any, who have been proved at the trial to have been guilty of any corrupt practice and the nature of that practice; and

(b) fixing the total amount of costs payable and specifying the persons by and to whom costs shall be paid:

Provided that a person who is not a party to the petition shall not be named in the order under sub-clause (ii) of clause (a) unless—

(a) he has been given notice to appear before the Council and to show cause why he should not be so named; and

(b) if he appears in pursuance of the notice, he has been given an opportunity of cross-examining any witness who has already been examined by the Council and has given evidence against him, of calling evidence in his defence and of being heard.

(2) In this section and in section 22, the expression "agent" has the same meaning as in section 123 of the Representation of the People Act, 1951 (43 of 1951).

22. *Grounds for declaring election to be void.*—(1) Subject to the provisions of sub-section (2), if the Council is of opinion—

(a) that on the date of his election a returned candidate was not qualified, or was disqualified, to be chosen to fill the seat under the Constitution or the Representation of the People Act, 1951 (43 of 1951), or his Ordinance or the Government of Union Territories Act, 1963 (20 of 1963); or

(b) that any corrupt practice has been committed by a returned candidate or his election agent or any other person with the consent of a returned candidate or his election agent; or

(c) that any nomination has been improperly rejected; or

(d) that the result of the election, is so far as it concerns the returned candidate, has been materially affected—

(i) by the improper acceptance of any nomination, or

(ii) by any corrupt practice committed in the interests of the returned candidate by an agent other than his election agent, or

(iii) by the improper reception, refusal or rejection of any vote or the reception of any vote which is void, or

(iv) by any non-compliance with the provisions of the Constitution or of this Ordinance or of any rules or orders made under this Ordinance, the Council shall declare the election of the returned candidate to be void.

(2) If in the opinion of the Council a returned candidate has been guilty by an agent, other than his election agent, of any corrupt practice but the Council is satisfied—

(a) that no such corrupt practice was committed at the election by the candidate or his election agent, and every such corrupt practice was committed contrary to the orders, and without the consent, of the candidate or his election agent;

- (b) that the candidate and his election agent took all reasonable means for preventing the commission of corrupt practices at the election; and
- (c) that in all other respects the election was free from any corrupt practice on the part of the candidate or any of his agents,

then the Council may decide that the election of the returned candidate is not void.

23. *Grounds for which a candidate other than the returned candidate may be declared to have been elected.*—If any person who has lodged a petition has, in addition to calling in question the election of the returned candidate, claimed a declaration that he himself or any other candidate has been duly elected and the Council is of opinion—

- (a) that in fact the petitioner or such other candidate received a majority of the valid votes; or
- (b) that but for the votes obtained by the returned candidate by corrupt practices the petitioner or such other candidate would have obtained a majority of the valid votes.

the Council shall after declaring the election of the returned candidate to be void declare the petitioner or such other candidate, as the case may be, to have been duly elected.

24. *Procedure in case of an equality of votes.*—If during the trial of a petition it appears that there is an equality of votes between any candidates at the election and that the addition of a vote would entitle any of those candidates to be declared elected, then—

- (a) any decision made by the returning officer under the provisions of the Representation of the People Act, 1951 (43 of 1951), shall in so far as it determines the question between those candidates, be effective also for the purposes of the petition; and
- (b) in so far as the question is not determined by such a decision the Council shall decide between them by lot and proceed as if the one on whom the lot then falls had received an additional vote.

25. *Decision of Council to be in accordance with the view of majority.*—If during the trial of a petition there is a difference of opinion among the members of the Council on any matter or if at the conclusion of the trial there is a difference of opinion among them regarding the orders to be made under section 20 or section 21, the opinion of the majority shall prevail and the orders of the Council shall be expressed in terms of the views of the majority:

Provided that where the members are equally divided on any matter or with regard to any order to be made, the matter shall be decided or, as the case may be, the order shall be made, in accordance with the views of the members who concur with the Chairman.

26. *Communication of orders of the Council.*—The Council shall, as soon as may be after the conclusion of the trial of a petition, intimate the substance of the decision to the Election Commission and the Speaker or the Chairman, as the case may be, of the House of Parliament and, as soon as, may be thereafter, shall send to the Election Commission an authenticated copy of the decision.

27. *Costs.*—Costs shall be in the discretion of the Council:

Provided that where a petition is dismissed under clause (a) of section 20, the returned candidate shall be

entitled to the costs incurred by him in contesting the petition and accordingly the Council shall make an order for costs in favour of the returned candidate.

28. *Orders of Council to be final.*—No order made by a Council under this Ordinance shall be called in question in any court.

29. *Effect of orders of Council.*—(1) An order made by a Council under this Ordinance shall take effect as soon as it is pronounced by the Council.

(2) Where by an order under section 20 the election of a returned candidate is declared to be void, acts and proceedings in which that returned candidate has, before the date thereof, participated as a member of Parliament or, as the Prime Minister or as the Speaker of the House of the People shall not be invalidated by reason of that order, nor shall such candidate be subjected to any liability or penalty on the ground of such participation.

CHAPTER V

MISCELLANEOUS

30. *Withdrawal and abatement of petitions.*—The provisions of sections 109 to 116 (both inclusive) of the Representation of the People Act, 1951 (43 of 1951), relating to withdrawal and abatement of election petitions shall, so far as may be, apply in relation to withdrawal and abatement of petitions under this Ordinance subject to the modifications that the references therein to an election petition, High Court and petitioner shall be construed as references to a petition under this Ordinance, the Council for hearing such petition and the petitioner in respect of such petition respectively.

31. *Payment of costs out of security deposits and return of such deposits.*—(1) If in any order as to costs under the provisions of this Ordinance there is a direction for payment of costs by any party to any person, such costs shall, if they have not been already paid, be paid in full, or so far as possible, out of the security deposit and the further security deposit, if any, made by such party under this Ordinance on an application made in writing in that behalf within a period of one year, from the date of such order to the Election Commission by the person in whose favour the costs have been awarded.

(2) If there is any balance left of any of the said security deposits after payment under sub-section (1) of the cost referred to in that sub-section, such balance, or where no costs have been awarded or no application as aforesaid has been made within the said period of one year, the whole of the said security deposits may, on an application made in that behalf in writing to the Election Commission by the person by whom the deposits have been made, or if such person dies after making such deposits, by the legal representative of such person, be returned to the said person or to his legal representative, as the case may be.

32. *Execution of orders as to costs.*—Any order as to costs under the provisions of this Ordinance may be produced before the principal civil court of original jurisdiction within the local limits of whose jurisdiction any person directed by such order to pay any sum of money has a place of residence or business, or where such place is within a presidency-town, before the court of small causes having jurisdiction there, and such court shall execute the order or cause the same to be executed in the same manner and by the same procedure as if it were a decree for the payment of money made by itself in a suit:

Provided that where any such costs or any portion thereof may be recovered by an application made under sub-section (1) of section 31, no application shall lie under this section within a period of one year from the date of such order unless it is for the recovery of the balance of any costs which has been left unrealised after an application has been made under that sub-section owing to the insufficiency of the amount of the security deposits referred to in that sub-section.

33. *Power to make rules.*—(1) The Central Government may make rules for carrying out the purposes of this Ordinance.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- the steps to be taken for convening a Council and for filling of casual vacancies in a Council;
- the deposit or further deposit to be made by the petitioner as security for the costs;
- the procedure for the trial of a petition under this Ordinance;
- the appointment of officers and other employees for assisting the Councils in the discharge of their functions and the conditions of service of such officers and other employees;
- the custody of deposits made under his Ordinance, the payment of costs out of such deposits on an application made under section 31 and

other matters relating to the disposal of such applications;

- the fees, if any, payable in respect of any petition or application under this Ordinance;
- any other matter which has to be prescribed by or provided for by rules made under this Ordinance.

(3) Every rule made by the Central Government under this Ordinance shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session, or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

FAKHRUDDIN ALI AHMED,
President.

K. K. SUNDARAM,
Secretary to the Government of India.

भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

NIRVACHAN VIBHAG

NOTIFICATION

Simla-171002, the 20th July, 1977

No. 4-5/75-Elec.—Whereas the election of Shri Dhayan Chand Khanna as a member of Municipal Committee, Dalhousie, from Ward No. 5 was challenged by Shri Krishan Kumar by an election petition and that a Commission was appointed *vide* this Department's Notification of even number, dated the 25th November, 1976 to hold an enquiry into the allegation made therein;

And whereas the Commission *vide* its judgment, dated 30-11-1976, has recommended the election of Shri Dhayan Chand Khanna as void, the Governor,

Himachal Pradesh after careful consideration of the recommendations of the said Commission, has agreed with the findings;

Now, therefore, in exercise of the powers conferred under section 270 of the H.P. Municipal Act, 1968, the Governor, Himachal Pradesh, is pleased to declare the election of Shri Dhayan Chand Khanna, as member from Ward No. 5 of Municipal Committee, Dalhousie as void. The respondent Shri Dhayan Chand shall also pay an amount of Rs. 300/- as cost of the petition to the petitioner Shri Krishan Kumar, as has been assessed by the Commission.

H. S. DUBEY,
Sachiv.

अनुपूरक

सूच्य

PART I

HIMACHAL PRADESH PUBLIC SERVICE COMMISSION

No. 3-11/77-PSC (R).

Simla, 171002, the 21st July, 1977.

TIME TABLE FOR

THE HIMACHAL PRADESH ADMINISTRATIVE SERVICE ETC. COMBINED COMPETITIVE EXAMINATION, 1977

1	First Session	Second Session
	1000 hrs. to 1300 hrs.	1400 hrs. to 1700 hrs.
	2	3
21 August 1977	Essay (<i>Note.</i> —Notwithstanding what is written above, the time for the examination in the Essay Paper is 1000 hrs. to 1200 hrs.).	
22 August 1977	General Knowledge	
23 August 1977	Hindi	

1	2	3
24 August 1977	General English	
25 August 1977	Political Science	Law II
26 August 1977	Botany	Public Administration
27 August 1977	History of India	Sociology
28 August 1977	SUNDAY	
29 August 1977	Law III	Hindi
30 August 1977	European History	Indian Economics
31 August 1977	Physics	Psychology
1 September 1977	General Economics	English Literature
2 September 1977	Chemistry	British History
3 September 1977	Geography	Law I
4 September 1977	SUNDAY	
5 September 1977	Mathematics Pure	Zoology
6 September 1977	HOLIDAY JANAM-ASHTMY	
7 September 1977	Statistics	Sanskrit/Applied Mechanics
8 September 1977	Agriculture	Mathematics Applied
9 September 1977	Philosophy	Business Management
10 September 1977	Geology	Urdu
11 September 1977	SUNDAY	
12 September 1977	Anthropology	Commerce

Note.—Indian Standard Time will be observed.

SARITA PRASAD,
Secretary.

PART II

DIRECTORATE OF HORTICULTURE

NOTIFICATION

Simla-2, the 18th July, 1977

No. DH. PP. 2-16/76-II.—In exercise of the powers of section 3(iii) of the Himachal Pradesh Agricultural Pests, Diseases and Noxious Weeds Act (Act No. 18 of 1969) conferred on me *vide* Himachal Pradesh

Government notification No. 6-12/69-Agr. (Sectt.) dated 28th September, 1976, I hereby prohibit the movement or removal of any plant, earth, soil, manure or other thing from Mauhli village of Pargana Cheor of Sub-Tehsil Kotkhai of Simla district to any other place with immediate effect to prevent the spread of Apple scab disease in other parts of the Pradesh.

R. S. RANA,
Director.

PART IV

LOCAL SELF GOVERNMENT DEPARTMENT

Simla-2, the 19th July, 1977

NOTIFICATIONS

Simla-2, the 19th July, 1977

No. LSG. A (9) 9/74.—In exercise of the powers conferred by section 14 of the Himachal Pradesh Municipal Act, 1968 (Act No. 19 of 1968), the Governor, Himachal Pradesh, is pleased to accept the resignation of Shri Siri Ram Zakhmi, from the membership of the Municipal Committee, Nahan, Sirmur district, with effect from 29th June, 1977.

No. LSG. A (9) 9/74.—In exercise of the powers conferred by section 14 of the Himachal Pradesh Municipal Act, 1968 (Act No. 19 of 1968), the Governor, Himachal Pradesh, is pleased to accept the resignation of Miss Shyama Sharma, from the membership of the Municipal Committee, Nahan, Sirmur district, with effect from 25-6-1977.

By order,
S. K. CHAUHAN,
Secretary.

MONTHLY RAINFALL RECORDED IN HIMACHAL

District and Station	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th	17th	18th	19th	20th
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Bilaspur:																				
Sadar	64.1	—	64.3	51.2	—	—	—	—	—	—	—	4.3	8.1	—	—	—	2.2	2.2	—	—
Ghumarwin	—	62.2	25.3	—	—	—	—	—	—	—	—	—	12.4	—	20.3	18.2	12.5	22.6	—	—
Raghunathpura	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Bilaspur Ob	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Chamba:																				
Chamba	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	3.2	—	—
Chhatra	40.0	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Bha. da	13.0	25.0	—	—	—	—	0.1	0.2	—	—	—	—	—	—	—	—	0.1	10.0	0.4	—
Chawari	—	—	9.5	1.10	—	—	—	48.7	—	1.0	—	—	—	—	20.4	84.6	34.6	9.4	—	—
Bathri	—	—	—	—	—	—	—	—	—	—	9.4	4.4	—	—	—	2.7	21.4	6.2	—	—
Kalaton	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	18.2	—	—	—	—
Bhar. sour	40.0	55.0	—	—	—	—	13.0	—	—	—	—	—	—	1.0	—	—	—	—	—	—
Tissa	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	3.8	—
Bhanota	2.5	—	—	—	—	—	1.3	1.3	—	2.0	—	—	—	—	—	—	—	2.5	6.8	—
Kilar	8.0	2.0	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Hamirpur:																				
Hamirpur	16.0	80.0	10.0	—	12.0	25.0	6.0	—	56.0	—	—	4.3	3.0	—	—	11.0	—	—	9.0	—
Kangra:																				
Palampur	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Dehra	25.4	17.8	—	—	—	—	—	—	—	30.5	—	8.6	—	—	—	—	—	—	—	—
Kangra	34.0	—	30.0	—	—	—	20.0	16.0	—	18.0	10.0	—	—	60.0	63.5	64.0	31.0	38.1	7.6	7.6
Dharamsala	27.5	2.5	—	75.0	41.0	7.5	11.0	50.0	32.5	5.0	55.0	35.0	24.0	133.5	133.0	131.0	71.0	52.0	16.0	16.0
Nurpur	83.0	—	28.0	—	—	—	—	16.0	30.0	47.0	3.0	—	—	—	32.0	—	13.0	—	66.0	—
Kulu:																				
Kulu	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Banjar	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kinnaur:																				
Nichea	19.0	5.0	3.0	—	—	—	—	—	—	1.0	—	—	—	—	—	—	—	—	—	—
Kiiba	5.0	4.3	1.5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sangla	7.0	5.0	2.0	—	—	—	—	—	—	—	—	—	—	—	—	—	3.0	—	—	—
Kalpa	5.0	2.0	0.6	1.0	—	—	—	—	—	—	—	—	1.2	—	—	—	—	—	—	—
Purbani	—	—	—	—	—	—	—	—	—	—	—	—	—	1.4	—	—	—	—	—	—
Lahaul and Spiti:																				
Keylong	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kaza	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Simla:																				
Rampur	7.5	1.6	5.2	0.2	—	—	—	5.1	—	6.6	—	—	—	—	—	—	—	—	—	—
Rohru	62.0	37.0	—	—	—	—	—	—	—	—	20.2	11.0	—	2.5	1.5	—	—	—	—	—
Jubbal	23.2	9.9	22.3	—	—	—	—	—	—	—	1.2	—	—	4.1	—	—	—	—	9.2	—
Chopal	6.0	4.0	6.8	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Theog	40.0	41.6	—	3.2	—	—	—	—	—	—	—	—	2.2	—	19.0	—	—	—	—	—
Kumarsain	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Junga	75.8	7.2	11.2	16.2	—	—	—	—	4.0	—	—	—	—	—	—	—	—	—	—	—
Ma. hobra	—	—	27.0	17.9	—	—	—	—	—	0.5	—	—	—	—	2.8	4.0	4.2	11.2	—	—
Suni	13.0	8.0	2.4	1.6	—	—	—	—	—	—	—	—	—	—	—	11.0	8.0	7.0	—	—
Kotkhai	18.0	12.0	10.0	6.0	—	—	—	—	—	—	—	—	—	—	—	10.0	—	6.4	—	—
Bashla	7.0	10.0	12.0	—	—	—	—	—	2.0	4.0	—	—	—	—	—	—	—	—	—	1.0
Kh. drala	5.0	12.0	12.0	—	—	—	—	—	—	—	2.0	—	5.0	15.0	—	3.0	—	—	—	5.0
Shilaroo	15.1	6.2	23.4	1.2	—	—	—	—	—	—	—	—	3.0	—	—	—	—	—	—	6.0
Parula	35.0	55.0	15.0	10.0	22.0	—	18.0	—	10.0	16.0	—	28.0	12.0	18.0	7.0	—	6.0	6.0	—	—
Kotgarh	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Phan. cha	12.0	15.4	20.2	24.0	1.0	2.0	10.4	15.4	18.2	4.8	35.0	2.4	7.8	8.0	13.4	1.0	6.2	15.4	10.2	—
Kasumpti	8.6	13.4	25.4	—	0.4	—	—	—	1.1	—	—	—	5.2	0.6	4.8	6.4	6.6	—	—	—

[illegible]

MONTHLY RAINFALL RECORDED IN HIMACHAL

District and Station	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th	17th	18th	19th	20th
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Mandi:																				
Sadar ..	—	—	31.0	21.0	—	8.0	50.0	54.0	—	—	—	—	—	—	—	—	—	—	35.0	—
Jogindernagar ..	—	—	—	—	—	—	—	—	—	—	—	—	20.0	15.0	—	—	—	—	2.0	—
Sarkaghat ..	—	10.0	10.0	40.0	30.0	10.0	50.0	10.0	—	—	—	—	—	—	—	—	—	—	—	—
Chachiot ..	—	—	—	—	—	—	95.0	152.0	54.0	22.0	—	—	—	—	—	—	—	—	15.0	12.0
Sundernagar ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0.4
Karsog ..	—	—	—	7.2	1.8	—	14.6	8.0	6.0	10.6	—	5.0	—	—	1.4	3.0	—	—	9.8	—
Bhangrotu ..	—	—	43.2	—	5.0	8.9	117.7	132.6	7.9	—	—	—	—	—	—	—	—	—	—	—
Jhungi ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Janjehli ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Karaula ..	—	—	—	2.0	—	—	8.0	—	11.0	—	—	—	—	—	10.0	—	—	—	—	—
Panjain ..	15.2	10.4	—	7.3	26.2	44.3	—	—	—	—	—	—	—	9.3	—	—	—	—	27.2	—
Mandi Obs. ..	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.
Solan:																				
Kandaghat ..	22.9	—	35.1	23.4	—	—	—	—	—	—	—	—	17.5	—	—	—	8.6	2.8	—	—
Kasauli ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Nalagarh ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	14.2	—	4.4	—	—	—
Arki ..	—	—	21.0	—	—	—	—	—	—	—	—	—	—	—	—	2.5	0.2	—	—	—
Solan ..	24.0	6.3	19.2	—	—	—	—	—	—	—	—	0.5	—	—	0.7	—	—	—	—	—
Sirmur:																				
Nahan ..	—	—	—	—	17.0	—	—	—	15.0	4.0	—	—	2.0	—	—	—	—	—	—	—
Paonta Sahib ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Renuka ..	—	—	64.3	—	—	—	45.0	—	5.2	—	—	—	—	—	—	—	—	25.0	—	—
Pachhad ..	29.6	3.4	14.6	31.4	1.2	3.4	1.4	—	16.2	4.5	—	—	6.0	—	—	—	6.0	11.8	—	—
Bagthan ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Dhaura Kuan ..	—	—	—	—	—	—	15.0	18.0	—	12.0	—	—	8.0	—	—	—	9.0	—	—	—
Paonta Irrigation Deptt. ..	—	—	—	—	—	—	41.9	—	6.3	—	—	24.1	27.9	30.5	—	—	—	11.4	—	—
Una:																				
Una ..	2.0	19.0	—	—	—	—	—	—	—	—	4.0	9.0	—	—	106.0	—	1.0	—	—	—

PRADESH FOR THE MONTH OF SEPTEMBER, 1973

20th	21st	22nd	23rd	24th	25th	26th	27th	28th	29th	30th	31st	Number of rainy days	Normal No. of rainy days	Total rainfall for the month	Average rainfall for the month	Heaviest rainfall during the month	Total rainfall from 1-9-73 to 30-9-73	Normal rainfall from 1-9-73 to 30-9-73
21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39
N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.
—	—	—	—	—	—	—	—	—	—	—	—	6	9.7	199.0	179.6	54.0	199.0	—
—	—	—	—	—	—	—	—	—	—	—	—	9	11.9	295.7	295.7	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	9	9.2	197.0	283.0	50.0	197.0	—
—	—	—	—	—	—	—	—	—	—	—	—	6	9.2	165.2	165.2	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	7	9.8	350.0	196.5	152.0	350.0	—
—	—	—	—	—	—	—	—	—	—	—	—	7	6.7	58.0	111.8	14.6	58.0	—
—	—	—	—	—	—	—	—	—	—	—	—	7	8.9	325.1	176.2	132.6	325.1	—
—	—	—	—	—	—	—	—	—	—	—	—	—	8.3	—	171.7	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	3	9.2	31.0	18.4	11.0	31.0	—
—	—	—	—	—	—	—	—	—	—	—	—	7	8.0	139.9	137.0	44.3	139.9	—
—	—	—	—	—	—	—	—	—	—	—	—	—	12.9	N.R.	223.4	—	N.R.	—
—	—	—	—	—	—	—	—	—	—	—	—	45	—	1300.0	—	—	1300.0	—
—	—	—	—	—	—	—	—	—	—	—	—	6	9.5	185.7	191.7	—	185.7	—
—	—	—	—	—	—	—	—	—	—	—	—	7	N.A.	113.4	N.A.	35.1	113.4	—
—	—	—	—	—	—	—	—	—	—	—	—	—	N.A.	—	N.A.	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	3	N.A.	43.8	N.A.	21.0	43.8	—
—	—	—	—	—	—	—	—	—	—	—	—	4	N.A.	56.5	N.A.	24.0	56.5	—
—	—	—	—	—	—	—	—	—	—	—	—	14	—	213.7	—	—	213.7	—
—	—	—	—	—	—	—	—	—	—	—	—	5	N.A.	71.2	N.A.	—	71.2	—
—	—	—	—	—	—	—	—	—	—	—	—	4	8.7	68.0	223.0	—	68.0	—
—	—	—	—	—	—	—	—	—	—	—	—	4	8.9	257.4	257.4	30.0	257.4	—
—	—	—	—	—	—	—	—	—	—	—	—	4	7.8	139.5	237.7	64.3	237.7	—
—	—	—	—	—	—	—	—	—	—	—	—	12	8.1	149.1	201.3	31.4	201.3	—
—	—	—	—	—	—	—	—	—	—	—	—	6	8.9	72.0	203.8	18.0	72.0	—
—	—	—	—	—	—	—	—	—	—	—	—	8	—	175.2	—	41.9	175.2	—
—	—	—	—	—	—	—	—	—	—	—	—	34	—	603.8	—	—	603.8	—
—	—	—	—	—	—	—	—	—	—	—	—	7	8.5	120.6	224.6	—	120.6	—
—	—	—	—	—	—	—	—	—	—	—	—	4	N.A.	141.0	N.A.	106.0	141.0	—
—	—	—	—	—	—	—	—	—	—	—	—	4	—	141.0	—	—	141.0	—
—	—	—	—	—	—	—	—	—	—	—	—	4	N.A.	141.0	N.A.	—	141.0	—

